

UNIVERSITY OF WISCONSIN SYSTEM

Budget Summary							
Fund	2014-15 Base Year Doubled	2015-17 Governor	2015-17 Jt. Finance	2015-17 Legislature	2015-17 Act 55	Act 55 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$2,284,743,600	\$1,987,344,100	\$2,053,356,200	\$2,078,356,200	\$2,078,356,200	- \$206,387,400	- 9.0%
FED	3,628,250,400	1,814,125,200	3,628,250,400	3,628,250,400	3,628,250,400	0	0.0
PR	6,048,164,400	3,088,809,900	6,113,076,300	6,113,076,300	6,112,876,300	64,711,900	1.1
SEG	<u>69,024,600</u>	<u>29,762,500</u>	<u>59,325,000</u>	<u>59,325,000</u>	<u>59,325,000</u>	<u>- 9,699,600</u>	- 14.1
TOTAL	\$12,030,183,000	\$6,920,041,700	\$11,854,007,900	\$11,879,007,900	\$11,878,807,900	- \$151,375,100	- 1.3%

FTE Position Summary						
Fund	2014-15 Base	2016-17 Governor	2016-17 Jt. Finance	2016-17 Legislature	2016-17 Act 55	Act 55 Change Over 2014-15 Base
GPR	18,432.76	0.00	18,432.76	18,432.76	18,432.76	0.00
FED	5,583.63	0.00	5,583.63	5,583.63	5,583.63	0.00
PR	10,914.07	0.00	10,914.07	10,914.07	10,914.07	0.00
SEG	<u>169.25</u>	<u>0.00</u>	<u>129.05</u>	<u>129.05</u>	<u>129.05</u>	<u>- 40.20</u>
TOTAL	35,099.71	0.00	35,059.51	35,059.51	35,059.51	- 40.20

Budget Change Items

1. STANDARD BUDGET ADJUSTMENTS

Governor/Legislature: Adjust the base budget by \$17,977,800 GPR in 2015-16 and \$18,008,200 GPR in 2016-17 and \$7,245,800 PR annually for: (a) full funding of continuing position salaries and fringe benefits (\$17,949,200 GPR and \$7,245,800 PR annually); and (b) full funding of lease and directed moves costs (\$28,600 GPR in 2015-16 and \$59,000 GPR in 2016-17).

GPR	\$35,986,000
PR	<u>14,491,600</u>
Total	\$50,477,600

2. GPR BASE BUDGET REDUCTION [LFB Paper 676]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Senate/Leg. (Chg. to JFC)	Net Change
GPR	- \$278,686,500	\$50,000,000	\$25,000,000	- \$203,686,500
GPR-Lapse	<u>0</u>	<u>0</u>	<u>25,000,000</u>	<u>25,000,000</u>
Total	- \$278,686,500	\$50,000,000	\$0	- \$228,686,500

Governor: Reduce the UW System's GPR appropriation for general program operations by \$150,000,000 in 2015-16 and by \$121,161,700 in 2016-17. In addition, repeal the appropriation for UW System Administration on July 1, 2016, and delete \$7,524,800 in related funding in 2016-17.

Under the bill, the statutory appropriation schedule would include only the following two GPR appropriations for the UW System Authority beginning in 2016-17. The appropriation schedule would not include any program revenue, federal revenue, or segregated revenue appropriations for the UW System Authority.

20.285(1)(a)	General program operations	\$774,846,500
20.285(1)(d)	Principal payment and interest	\$215,774,700

Joint Finance: Provide \$25,000,000 annually, which reduced the GPR base budget reduction from \$150 million annually to \$125 million annually. Require that the Board of Regents distribute the \$25,000,000 annual amount to aid UW institutions that are most impacted by the GPR base reduction.

In addition, provide \$7,928,000 in 2015-16 and \$13,385,500 in 2016-17 to fund projected increases in fringe benefit costs during the biennium, instead of providing \$21,313,500 in 2016-17 for this purpose as under the Governor's bill, and specify that the Board of Regents may not request pay plan supplements during the 2015-17 biennium.

The following table summarizes changes to the UW System's GPR general program operations appropriation under the Governor's bill and as modified by the Joint Finance Committee.

Changes to the UW System's GPR General Program Operations Appropriations

	<u>Governor</u>		<u>Joint Finance</u>	
	<u>2015-16</u>	<u>2016-17</u>	<u>2015-16</u>	<u>2016-17</u>
Base budget reduction	-\$150,000,000	-\$150,000,000	-\$125,000,000	-\$125,000,000
UW System Administration appropriation added to UW block grant	0	7,524,800	0	7,524,800
Funding for increases in fringe benefit costs	<u>0</u>	<u>21,313,500</u>	<u>7,928,000</u>	<u>13,385,500</u>
Subtotal -- UW Block Grant	-\$150,000,000	-\$121,161,700	-\$117,072,000	-\$104,089,700
Delete Separate UW System Administration Appropriation	<u>0</u>	<u>-7,524,800</u>	<u>0</u>	<u>-7,524,800</u>
Net Change to GPR Funding	-\$150,000,000	-\$128,686,500	-\$117,072,000	-\$111,614,500

Senate/Legislature: Increase the UW System's GPR general program operations appropriation by \$25,000,000 in 2016-17. In addition, require the UW System to lapse \$25,000,000 from its GPR general program operations appropriation to the state's general fund on July 1, 2016, so there would be no net change in funding in 2016-17.

[Act 55 Sections: 612, 9148(3d), 9148(6d), 9248(1q), and 9448(1d)]

3. GPR EXPENDITURE AUTHORITY [LFB Paper 676]

Governor: Specify that the GPR general program operations appropriation for the UW System in 2015-16 and the UW System Authority in 2016-17 would be a biennial appropriation. This would allow the UW System to shift funding between the two years of the 2015-17 biennium. Under current law, the UW System's GPR general program operations appropriation is an annual appropriation and expenditures in each fiscal year are limited to the amount provided for that fiscal year.

Provide that the UW System Authority's GPR general program operations appropriation would be an annual appropriation beginning in 2017-18. This provision would take effect on July 1, 2017, or the second day after the publication of the 2017-19 biennial budget act, whichever is later.

Joint Finance/Legislature: Modify by providing that the UW System's GPR general program operations appropriation will continue to be a biennial appropriation in future biennia.

[Act 55 Section: 574m]

4. TUITION FREEZE [LFB Paper 677]

Governor: Prohibit the Board of Regents from charging resident undergraduate students enrolled in a UW institution or UW Colleges campus in the 2015-16 and 2016-17 academic

years more in tuition than it charged such students enrolled in that institution or UW Colleges campus in the 2014-15 academic year. Specify that this provision would take effect the day after the publication of the biennial budget act.

Joint Finance/Legislature: Modify by permitting the Board of Regents to increase resident undergraduate tuition at UW-Stevens Point in 2015-16 and 2016-17 to implement a differential tuition if approved by the students in a referendum held after the effective date of the bill.

[Act 55 Sections: 9148(4)&(4d)]

5. REESTIMATE GPR DEBT SERVICE [LFB Paper 175]

GPR	- \$38,686,900
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Governor/Legislature: Reduce the GPR debt service appropriation by \$13,626,700 in 2015-16 and \$25,060,200 in 2016-17 to reestimate debt service costs.

6. REESTIMATE PR DEBT SERVICE

PR	- \$18,317,600
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Governor/Legislature: Reduce the PR debt service appropriation by \$18,317,600 in 2015-16. Annual base level funding for PR debt service is \$155,388,900.

7. REESTIMATE TUITION REVENUES

PR	\$75,799,500
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Governor/Legislature: Provide additional expenditure authority of \$75,799,500 in 2015-16 to reflect the amount of tuition revenue received during the 2013-14 fiscal year. The increase in the amount of tuition revenue received is attributable to: (a) enrollment increases (\$43,003,200); (b) increases in revenue generated by self-supporting programs (\$16,712,400); and (c) differential tuition increases implemented prior to the 2013-14 year (\$16,083,900). Tuition revenues are deposited in the UW System's program revenue (PR) general program operations appropriation which is an "all moneys received" appropriation, meaning that all revenues may be spent regardless of the amount shown in the appropriation schedule.

8. PAYMENT TO THE MEDICAL ASSISTANCE TRUST FUND

PR-REV	- \$20,000,000
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Governor/Legislature: Increase the amount that the Board of Regents is required to transfer to the medical assistance trust fund from its program revenue appropriation for general program operations from no more than \$20,338,500 annually to no more than \$30,338,500 annually.

[Act 55 Section: 580m]

9. DELETE WISCONSIN BIOENERGY INITIATIVE
[LFB Paper 486]

	Funding	Positions
SEG	- \$8,138,200	- 35.20

Governor/Legislature: Eliminate funding for the Wisconsin Bioenergy Initiative (\$4,069,100 SEG annually) and 35.20 positions beginning in 2015-16 and delete the appropriation for that purpose on July 1, 2016. Under prior law, funding was provided from the environmental fund to the Wisconsin Bioenergy Initiative to support research into improved plant biomass, improved biomass processing, conversion of biomass into energy products, development of a sustainable energy economy, and development of enabling technology for bioenergy research.

[Act 55 Sections: 601 and 9448(1db)]

10. DELETE ENVIRONMENTAL EDUCATION BOARD AND GRANTS [LFB Paper 488]

SEG	- \$461,000
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Governor: Eliminate \$130,500 annually for environmental education grants from the environmental fund and delete the appropriation for that purpose on July 1, 2016. In addition, delete \$200,000 in 2016-17 as well as the appropriation for environmental education grants from the conservation fund.

Delete current law related to the Environmental Education Board including provisions requiring the Board to: (a) consult with the state Superintendent of Public Instruction in identifying needs and establishing priorities for environmental education in public schools; (b) consult with other state agencies, including UW-Extension, conservation and environmental groups, youth organizations, and nature and environmental centers in identifying needs and establishing priorities for environmental education; (c) award grants for the development, dissemination, and presentation of environmental education programs; and (d) establish a center for environmental education. In addition, delete the requirement that the Board of Regents seek the advice of the Environmental Education Board on the development of environmental education programs.

Joint Finance/Legislature: Modify the Governor's recommendation to delay the repeal of the two appropriations for environmental education grants and current law related to the Wisconsin Environmental Education Board to July 1, 2017, to allow the expenditure of assessments paid before July 1, 2015.

[Act 55 Sections: 228, 598g, 598r, 599, 1244, 1245g, 1245r, 1301, 3284m, 4323 thru 4325, and 9448(1c)]

11. DELETE SOLID WASTE RESEARCH FUNDING
[LFB Paper 487]

	Funding	Positions
SEG	- \$312,200	- 1.00

Governor/Legislature: Eliminate \$156,100 annually for solid waste research and experiments and 1.0 position beginning in 2015-16 and delete the appropriation for that purpose on July 1, 2016. Under prior law, funding was provided from the environmental fund to support

research into alternative methods of solid waste management and for administering solid waste experiment centers.

Delete related provisions permitting the Board of Regents to establish one or more solid waste experiment centers for the purpose of developing, demonstrating, promoting, and assessing the costs and environmental effects of alternatives to solid waste disposal; requiring the Board to conduct research into alternatives to solid waste disposal; and requiring the Board to appoint a solid waste research council.

[Act 55 Sections: 603, 1218, and 9448(1db)]

12. DELETE EXTENSION RECYCLING EDUCATION FUNDING [LFB Paper 487]

	Funding	Positions
SEG	- \$788,200	- 4.00

Governor/Legislature: Delete \$394,100 annually for UW-Extension recycling education and 4.0 positions beginning in 2015-16 and delete the appropriation for that purpose on July 1, 2016. Under prior law, funding from the environmental fund was provided to support UW-Extension education and technical assistance programs in recycling and recycling market development.

[Act 55 Sections: 602 and 9448(1db)]

13. UW PR AND FEDERAL APPROPRIATIONS [LFB Paper 675]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	-\$2,845,963,000	\$2,845,963,000	\$0
FED	<u>- 1,812,449,300</u>	<u>1,812,449,300</u>	<u>0</u>
Total	-\$4,658,412,300	\$4,658,412,300	\$0

Governor: Delete the UW System's program revenue appropriations for general program operations (-\$2,271,680,800), gifts and nonfederal grants and contracts (-\$537,889,600), and general fund interest (\$0) and the UW System's appropriation for federal aid (-\$1,812,449,300) in 2016-17.

In addition, delete the UW System's PR appropriation for funds transferred from other state agencies and \$36,392,600 in 2016-17. Separate items describe an additional \$1,705,600 that would be deleted from that appropriation. Provide that the Higher Educational Aids Board would continue to make reimbursement payments to the UW System Authority for tuition remissions granted to veterans and the children and spouses of deceased or disabled veterans, that the Department of Transportation would continue to transfer additional fees collected related to University of Wisconsin license plates, and that the Department of Revenue would continue to transfer funds designated for cancer research programs to the UW System Authority.

Joint Finance/Legislature: Delete the provision, which restores the UW System's program revenue appropriations for general program operations, gifts and nonfederal grants and

contracts, general fund interest, and funds transferred from other state agencies and its appropriation for federal aid.

14. PR DEBT SERVICE APPROPRIATION UNDER DOA [LFB Paper 675]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	- \$155,388,900	\$148,127,300	- \$7,261,600

Governor: Delete the PR appropriation under the UW System for PR debt service with \$155,388,900 in 2016-17 and delete current law specifying that, for projects authorized by the Building Commission on or after July 1, 2001, an amount equal to 40% of the principal and interest costs for maintenance of UW-Madison intercollegiate athletic facilities would be paid from that appropriation.

Create an appropriation under the Department of Administration (DOA) for moneys received from the UW System Authority in payment of principal and interest costs incurred in financing self-amortizing UW facilities and under an agreement or ancillary agreements entered into by the UW System and the Building Commission. Estimate this appropriation under DOA at \$148,127,300 in 2016-17.

Joint Finance/Legislature: Delete provision, which restores the UW System's PR debt service appropriation in 2016-17. In addition, estimate this appropriation at \$148,127,300 in 2016-17.

15. TRUST FUND INCOME APPROPRIATION [LFB Paper 678]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
	Funding Positions	Funding Positions	Funding Positions
SEG	- \$26,816,500 - 122.23	\$26,816,500 122.23	\$0 0.00

Governor: Delete the appropriations under the UW System for trust fund income (-\$26,816,500 and -122.23 positions in 2016-17) and trust fund operations (\$0). The UW System would retain control of its trust funds and any income generated from those trust funds.

Joint Finance/Legislature: Delete the provision, which restores the UW System's appropriations for trust fund income and related funding and positions.

16. TELECOMMUNICATIONS SERVICES APPROPRIATION [LFB Paper 678]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
SEG	- \$1,054,800	\$1,054,800	\$0

Governor: Delete \$1,054,800 in 2016-17 and the appropriation under the UW System for moneys transferred from the universal service fund to pay for telecommunications provided by DOA to UW System campuses and delete language specifying that moneys from the universal service fund can be used for this purpose. In addition, modify the definition of "qualified postsecondary institution" such that DOA would not be permitted to provide computer and telecommunication services to UW institutions. Specify that the unencumbered balance of the appropriation as of June 30, 2016, would transfer to a new appropriation under the public service commission for broadband expand grants.

Joint Finance/Legislature: Delete provision, which restores the appropriation, funding, and related statutory language.

[Note: Although the appropriation for telecommunications services appears in the Chapter 20 appropriation schedule, Act 55 inadvertently repealed the statutory language creating the appropriation and requiring the Public Service Commission to set contributions to the universal service fund at an amount sufficient to generate the amount of that appropriation. Additional legislation would be required to correct this error and accomplish the intent of the Joint Finance Committee and the Legislature as it relates to this appropriation.]

[Act 55 Sections: 593m and 3529c]

17. RURAL PHYSICIAN RESIDENCY ASSISTANCE PROGRAM [LFB Paper 678]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
SEG	- \$755,300	- 3.62	\$755,300	3.62	\$0	0.00

Governor: Delete the rural physician residency assistance program administered by the UW-Madison School of Medicine and Public Health's Department of Family Medicine, the related appropriation, and \$755,300 and 3.62 positions in 2016-17. Through this program, the Department of Family Medicine establishes and supports physician residency positions that are: (a) in hospitals located in rural areas; (b) in clinics staffed by physicians who admit patients to hospitals located in rural area; or (c) include a rural rotation that consists of at least eight weeks of training experience in such a hospital or clinic. Funding for this program comes from the critical access hospital assessment fund.

Joint Finance/Legislature: Delete provision, which restores the appropriation, funding,

positions, and related statutory language.

18. PHYSICIAN AND DENTIST AND HEALTH CARE PROVIDER LOAN ASSISTANCE PROGRAMS [LFB Papers 678 and 679]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	- \$488,700	\$488,700	\$0
SEG	<u>- 250,000</u>	<u>250,000</u>	<u>0</u>
Total	- \$738,700	\$738,700	\$0

Governor: Delete the physician and dentist and health care provider loan assistance program, a related segregated fund appropriation under the UW System, and \$488,700 PR and \$250,000 SEG in 2016-17. Funding for this program comes from the critical access hospital assessment fund and tribal gaming revenues. Through this program the UW Board of Regents may repay up to \$50,000 in education loans on behalf of a physician or dentist who agrees to practice in one or more eligible practice areas or dental health shortage areas in this state. The Board of Regents may make loan repayments of up to \$100,000 on behalf of physicians who additionally agree to practice in a rural area. The Board of Regents may make loan repayments of up to \$25,000 on behalf of other health care providers including dental hygienists, physician assistants, nurse midwives, and nurse-practitioners.

In addition, delete the Rural Health Development Council which advises the Board of Regents on matters related to the physician and dentist and health care provider loan program.

Joint Finance/Legislature: Delete the provision, which restores funding for the loan assistance programs and the related statutory language and maintain current law regarding the Rural Health Development Council.

19. FERTILIZER RESEARCH FUNDS [LFB Paper 138]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	- \$446,300	\$446,300	\$0

Governor: Delete current law research fees of 27¢ per ton of fertilizer sold or distributed and 10¢ per ton of soil or plant additive distributed and delete the fertilizer research council which recommends projects to be financed by fertilizer research funds.

Under current law, the soil and plant additive research fee and 17¢ of the fertilizer research fee are forwarded to the UW System to be used for research on soil management, soil, fertility, plant nutrition problems, and for research on surface water and groundwater problems which may be related to fertilizer usage. These funds are also use to fund the dissemination of the results of the research and for other designated activities tending to promote the correct usage of

fertilizer materials. The remaining 10¢ of the fertilizer research fee is used to support UW-Extension outreach services. In 2013-14, \$280,000 was forwarded to the UW System for research and \$166,300 was provided to support UW-Extension outreach services.

Joint Finance/Legislature: Delete the provision, which maintains the research fee.

20. AQUACULTURE DEMONSTRATION FACILITY [LFB Paper 679]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Veto (Chg. to Leg)	Net Change
PR	- \$417,500	\$617,500	- \$200,000	\$0

Governor: Delete \$417,500 in 2016-17, the requirement that the Board of Regents operate an aquaculture demonstration facility, and the appropriation under the Department of Administration which provides funding for that facility from tribal gaming revenues. Specify that the UW System Authority may, instead of shall under current law, conduct applied and on-site research, outreach activities, and on-site demonstrations relating to commercial aquaculture in this state in cooperation with the commercial aquaculture industry. The Department of Agriculture, Trade, and Consumer Protection (DATCP) would also continue to coordinate its aquaculture activities with those of the Department of Natural Resources (DNR) and the UW System Authority and to conduct meetings on a quarterly basis involving DATCP, DNR, and UW System Authority representatives to exchange information regarding the progress of their efforts to promote commercial aquaculture in this state.

Joint Finance/Legislature: Delete the provision, which restores the funding from tribal gaming revenues for the aquaculture demonstration facility and maintain current law regarding the UW System's aquaculture activities. In addition, provide \$100,000 PR-tribal gaming in 2015-16 and 2016-17 to fund a UW-Extension aquaculture specialist position.

Veto by Governor [B-25]: Delete the provision of \$100,000 PR-tribal gaming in 2015-16 and 2016-17 to fund a UW-Extension aquaculture specialist position.

[Act 55 Vetoed Sections: 806g, 806r, and 9448(5j)]

21. ENVIRONMENTAL PROGRAM GRANTS AND SCHOLARSHIPS [LFB Paper 678]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
	Funding Positions	Funding Positions	Funding Positions
SEG	- \$301,600 - 1.00	\$301,600 1.00	\$0 0.00

Governor: Delete \$301,600 and 1.0 position in 2016-17 as well as the appropriation for environmental program grants and scholarships. This appropriation funds all of the following:

(a) need-based grants totaling \$100,000 to students who are members of underrepresented groups and who are enrolled in a program leading to a certificate or a bachelor's degree from the Nelson Institute for Environmental Studies at UW-Madison; (b) annual scholarships totaling \$100,000 to students enrolled in the sustainable management degree program through the UW-Extension; and (c) the balance of the appropriation for environmental programs at UW-Steven Point. Base level funding for this appropriation is \$301,600 SEG from the normal school fund.

Joint Finance/Legislature: Delete the provision, which restores the appropriation and funding and the related statutory language.

22. DISCOVERY FARM GRANT PROGRAM [LFB Paper 678]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
SEG	- \$249,800	- 1.20	\$249,800	1.20	\$0	0.00

Governor: Delete \$249,800 and 1.20 positions in 2016-17 as well as the discovery farm grant program and a related appropriation from the agrichemical management fund. Under current law, the Board of Regents makes grants through UW-Extension to operators of discovery farms for research and outreach activities under the Wisconsin agricultural stewardship initiative. A discovery farm is an operating commercial farm that conducts on-farm research.

Joint Finance/Legislature: Delete the provision, which restores the appropriation, funding, and positions and the related statutory language.

23. ONEIDA PROGRAMMING AT UW-GREEN BAY [LFB Paper 679]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
	Funding	Funding	Funding
PR	- \$247,500	\$247,500	\$0

Governor: Delete \$247,500 in 2016-17 as well as the requirement that the Board of Regents ensure that UW-Green Bay implements programming that is jointly developed by UW-Green Bay and the Oneida Tribe. Delete an appropriation under the Department of Administration which provides funding for such programming from tribal gaming revenues.

Joint Finance/Legislature: Delete the provision, which restores the funding and the related statutory language.

24. CENTER FOR COOPERATIVES [LFB Paper 678]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
SEG	- \$134,500	- 1.00	\$134,500	1.00	\$0	0.00

Governor: Delete \$134,500 and 1.0 position in 2016-17 as well as the requirement that the Board of Regents maintain a center for cooperatives at UW-Madison and the grant program administered by that center. In addition, delete the related grant appropriation from the conservation fund which provides \$78,000 for the paper science program at UW-Stevens Point and \$56,500 for grants to persons to form forestry cooperatives that consist primarily of private, nonindustrial owners of woodland.

Joint Finance/Legislature: Delete the provision, which restores the appropriation, funding, and positions and the related statutory language. In addition, modify current law to specify that, of the funding provided through the appropriation for grants to forestry programs, \$124,400 should be provided to the UW-Stevens Point paper science program in 2015-16 and 2016-17 and the remainder should be used to make grants to persons to form forestry cooperatives that consist primarily of private, nonindustrial owners of woodland.

Veto by Governor [B-29]: Delete the provision that would have specified that \$124,400 be provided to the UW-Stevens Point paper science program in 2015-16 and 2016-17 and that the remainder be used to make grants to persons to form forestry cooperatives that consist primarily of private, nonindustrial owners of woodland. As vetoed, \$78,000 annually will be provided to the UW-Stevens Point paper science program and \$56,000 annually will be used to make grants to persons to form forestry cooperatives that consist primarily of private, nonindustrial owners of woodland as under prior law.

[Act 55 Vetoed Sections: 596g, 596r, and 9448(5k)]

25. OUTDOOR SKILLS TRAINING AGREEMENT AND RELATED FUNDING [LFB Paper 675]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	- \$53,700	\$53,700	\$0

Governor: Delete \$53,700 in 2016-17 as well as the requirement that the Board of Regents and the Department of Natural Resources enter into an agreement with an established national organization to provide training to persons interested in learning about the outdoor skills needed by women to hunt, fish, camp, canoe, and undertake other outdoor recreational activities. Delete language requiring DNR to transfer \$53,700 annually to the UW System from its general program operations appropriation for land and forestry for outdoor skills training provided under the agreement.

Joint Finance/Legislature: Delete the provision, which restores the funding and the related statutory language.

26. GREAT LAKES FISH STUDIES [LFB Paper 675]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	- \$51,900	\$51,900	\$0

Governor: Delete \$51,900 in 2016-17 as well as language requiring DNR to transfer \$51,900 annually to the UW System from its general program operations appropriation for water for studies of Great Lakes fish.

Joint Finance/Legislature: Delete the provision, which restores the funding and the related statutory language.

27. MINNESOTA-WISCONSIN STUDENT RECIPROCITY [LFB Paper 390]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR-REV	- \$12,240,300	\$12,240,300	\$0

Governor: Transfer the authority to enter into a student reciprocity agreement with the state of Minnesota from the Higher Education Aids Board (HEAB) to the UW System Authority Board of Regents and make entering into such an agreement optional, instead of required as under current law. Delete language making such an agreement subject to approval by the Joint Committee on Finance and requiring that an annual administrative memorandum related to the agreement be approved by the Finance Committee through a passive review process. Delete language specifying that payments received under the agreement be deposited in the state's general fund. This would permit the UW System Authority to retain all tuition revenues paid by Minnesota students attending UW institutions under the agreement instead of transferring the amount of tuition paid above the Wisconsin resident tuition rate to the state's general fund. Delete the GPR sum sufficient appropriation under HEAB for payments to Minnesota under the agreement. Under the bill, the UW System Authority Board of Regents would be responsible for making any payments required under the agreement to Minnesota. Specify that the UW System Authority would not be liable for any reimbursement obligation under the agreement that accrues before July 1, 2016.

Joint Finance/Legislature: Delete provision. HEAB retains authority for, and continues to administer, the Minnesota-Wisconsin student reciprocity agreement and the agreement continues to be subject to the approval of the Joint Finance Committee. The UW System continues to transfer the amount of tuition paid by Minnesota students that is above the Wisconsin resident tuition rate to the state's general fund.

28. TRANSFER STATE LABORATORY OF HYGIENE TO DATCP [LFB Paper 675]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
GPR	- \$11,037,300	- 131.25	\$11,037,300	131.25	\$0	0.00
PR	- 23,490,500	- 178.50	23,490,500	178.50	0	0.00
Total	- \$34,527,800	- 309.75	\$34,527,800	309.75	\$0	0.00

Governor: Transfer the State Laboratory of Hygiene (SLH) to the Department of Agriculture, Trade, and Consumer Protection (DATCP) and delete from the UW System \$11,037,300 GPR and 131.25 GPR positions and \$23,490,500 PR and 178.50 PR positions in 2016-17. Provide that: (a) the Director of the State Laboratory of Hygiene may continue to service as the Director of until his or her term expires as specified in the appointment; (b) the assets and liabilities of the UW System that are primarily related to SLH, as determined by the DOA Secretary, would become the assets and liabilities of DATCP; (c) all positions and all incumbent employees holding those positions in the UW System performing duties that are primarily related to SLH, as determined by DOA, would be transferred to DATCP, that those employees would have all comparable rights and the same status in DATCP the they enjoyed in the UW System immediately before the transfer, and that no employee so transferred who has attained permanent status in class would be required to serve a probationary period; and (d) all tangible personal property, including records, of the UW System that are primarily related to SLH, as determined by the DOA Secretary, would be transferred to DATCP. In addition, the SLH Board would be required to include the following in its biennial budget request for the 2017-19 biennium: (a) identify the state agencies to whom SLH provided services in the 2016-17 fiscal year for which SLH did not charge fees under a provision requiring SLH to provide complete laboratory services in the areas of water quality, air quality, public health, and contagious diseases for appropriate state agencies; (b) for each agency identified in (a), the total cost of the services for which SLH did not charge fees; and (c) a proposal for charging those state agencies fees for services beginning in the 2017-18 fiscal year.

In addition, specify that the State Laboratory of Hygiene Board would appoint the Director of the Laboratory and other staff members required for the administration of the laboratory upon the recommendation of the DATCP Secretary. Under current law, the Board of Regents appoints the Director of the Laboratory and other staff members required for the administration of the Laboratory upon the recommendation of the UW-Madison chancellor.

Specify that these provisions would take effect on July 1, 2016.

Joint Finance/Legislature: Delete provision. The State Laboratory of Hygiene remains attached to the UW System.

29. TRANSFER VETERINARY DIAGNOSTIC LABORATORY TO DATCP [LFB Paper 675]

	Governor		Jt. Finance/Leg.		Net Change	
	(Chg. to Base)		(Chg. to Gov)			
	Funding	Positions	Funding	Positions	Funding	Positions
GPR	- \$4,974,800	- 77.90	\$4,974,800	77.90	\$0	0.00
PR	- 4,780,000	- 12.60	4,780,000	12.60	0	0.00
FED	- 1,675,900	- 4.00	1,675,900	4.00	0	0.00
Total	- \$11,430,700	-94.50	\$11,430,700	94.50	\$0	0.00

Governor: Transfer the Veterinary Diagnostic Laboratory (VDL) to the Department of Agriculture, Trade, and Consumer Protection, and delete from the UW System \$4,974,800 GPR and 77.90 GPR positions, with \$4,780,000 PR and 12.60 PR positions, and \$1,675,900 FED and 0.50 FED position in 2016-17. Provide that: (a) the Director of the Veterinary Diagnostic Laboratory may continue to serve as the Director until his or her term expires as specified in his or her appointment; (b) the assets and liabilities of the UW System that are primarily related to VDL, as determined by the DOA Secretary, would become the assets and liabilities of DATCP; (c) all positions and all incumbent employees holding those positions in the UW System performing duties that are primarily related to VDL, as determined by the DOA Secretary, would be transferred to DATCP, that those employees would have all comparable rights and the same status in DATCP as they enjoyed in the UW System immediately before the transfer, and that no employee so transferred who has attained permanent status in class would be required to serve a probationary period; and (d) all tangible personal property, including records, of the UW System that are primarily related to VDL, as determined by the DOA Secretary, would be transferred to DATCP. In addition, the VDL Board would be required to include the following in its biennial budget request for the 2017-19 biennium: (a) identify the federal and state agencies to whom VDL provided services in the 2016-17 fiscal year for which VDL did not charge fees under a provision prohibiting VDL from charging a fee to the subunits of DATCP and the federal Department of Agriculture that are responsible for animal health, and for services relating to human health and safety; (b) for each agency identified in (a), the total cost of the services for which VDL did not charge fees; and (c) a proposal for charging all federal and state agencies fees for services beginning in the 2017-18 fiscal year.

Provide that the DATCP Secretary, instead of the UW-Madison Chancellor as under current law, would appoint the Director of the Laboratory after consultation with the Veterinary Diagnostic Laboratory Board. Require the DATCP Secretary, instead of the UW System Board of Regents as under current law, to process and forward without change to the Department of Administration all personnel and biennial budget requests of the Veterinary Diagnostic Laboratory Board. Specify that these provisions would take effect on July 1, 2016.

Joint Finance/Legislature: Delete provision. The Veterinary Diagnostic Laboratory remains attached to the UW System.

30. GIFT AND GRANT FUNDED BUILDING PROJECTS

Joint Finance/Legislature: Provide that the Board of Regents may let UW gifts and grants projects through single prime contracting and define a "UW gifts and grants project" as a construction project funded entirely by gifts and grants made to the UW System for the express purpose of funding the construction project. Specify that if the Board of Regents lets a UW gifts and grants project through single prime contracting, other current law provisions related to the bidding of construction project contracts would not apply. Under current law, "single prime contracting" is defined as bidding and contracting through a process in which only a general prime contractor has a contractual relationship with the state and all mechanical, electrical, or plumbing subcontractors are identified by the Department of Administration (DOA) and are subcontractors to the general prime contractor.

Provide that UW gifts and grants projects that are let by the UW System using single prime contracting would not be subject to approval by the State Building Commission. Provide that such projects would not require review and approval by DOA and that DOA would not take charge of and supervise engineering or architectural services or construction work performed for such projects. Specify that the Board of Regents could employ engineering, architectural, or allied services and expend money for construction purposes for any UW gifts and grants project that the Board lets using single prime contracting. Specify that the State Building Commission could not prescribe simplified bidding procedures for UW gifts and grants projects that the Board of Regents lets using the single prime contracting process as it may under current law for other projects that do not require approval by the Building Commission.

Modify current law to give the Board of Regents the same responsibilities, protections, and powers when letting a contract through single prime contracting as DOA has under current law. Modify current law to specify that contracts entered into between general prime contractors and subcontractors related to projects let by the Board of Regents using single prime contracting would have all of the same clauses as such contracts related to projects let by DOA using single prime contracting under current law. Modify current law to specify that, at 50% completion, a general prime contractor may not retain additional funds and partial payments must be made in full to a subcontractor unless the Board of Regents, in addition to DOA under current law, certifies that the subcontractor's work is not proceeding satisfactorily. Modify current law to specify that payments made by a general prime contractor to subcontractors must be made within seven calendar days of the general prime contractor receiving payment from the Board of Regents, in addition to from DOA as under current law.

Specify that the following current law provisions would not apply to UW gifts and grants projects let by the Board of Regents using single prime contracting: (a) an exemption for contracts for engineering or architectural services, for construction work of more than \$10,000, and for limited trades work of more than \$30,000 from current law related to contractual services and bidding; (b) a requirement that DOA attempt to ensure that 5% of the amount expended through such contracts be paid to minority businesses; (c) a requirement that DOA attempt to ensure that 1% of the amount expended through such contracts be paid to disabled veteran-owned businesses; and (d) a provision specifying such contracts, payments related to those contracts, and change orders related to those contracts must be approved by the DOA Secretary

or his or her designated assistant and, in some cases, the Governor.

Delete the current law provision exempting UW System building projects that cost less than \$500,000 and that are funded entirely from gifts and grants from approval by the State Building Commission. Delete current law specifying that such projects would not require review and approval by DOA and that DOA would not take charge of and supervise engineering or architectural services or construction work performed for such projects. Delete current law specifying that (a) through (d) above do not apply to such projects.

Veto by Governor [B-21]: Modify the definition of "UW gifts and grants project" by deleting the phrase "for the express purpose of funding the construction project." As vetoed, the definition of a "UW gifts and grants project" is a construction project funded entirely by gifts and grants made to the UW System.

[Act 55 Sections: 40m, 364m, 366m thru 369t, 372g, 372r, 373m, 374d thru 374y, 378g, 378r, 392g, and 392r]

[Act 55 Vetoed Section: 369t]

31. MASTER LEASE FINANCING FOR ENERGY CONSERVATION PROJECTS

Joint Finance/Legislature: Provide that the UW System President may annually identify and approve eligible energy conservation projects for the UW System. Provide that eligible energy conservation projects approved by the UW System President would be financed through the state's master lease program with the amount to be determined by the Secretary of the Department of Administration (DOA) in consultation with the UW System President. Define "eligible energy conservation project" as a project that satisfies all of the following criteria: (a) the estimated costs associated with the project are offset by the estimated savings to the UW System after completion of the project; (b) all estimated savings from the project are guaranteed by the qualified provider selected for the project by the UW System President through a performance contract; and (c) the period in which estimated savings are projected to be realized from the project does not exceed ten years. Specify that the estimated savings for each eligible energy conservation project would be measured and verified in a manner established by the UW System President. Define a "qualified provider" as a person who is experienced in the design, implementation, and installation of energy conservation and facility improvement measures and who has the ability to provide labor and material payment and performance bonds equal to the maximum amount of any payments due under a performance contract entered into by the person.

Provide that eligible energy conservation projects approved by the UW System President would not be subject to approval by the State Building Commission. Provide that the UW System would select qualified providers for such projects and that current law bidding procedures for construction project contracts, which specify that DOA lets construction contracts, would not apply to such projects. Provide that the State Building Commission could not prescribe simplified bidding procedures for such projects as it may under current law for other projects that do not require approval by the Building Commission. Provide that the UW System President would supervise the implementation of energy conservation projects financed

through the state's master lease program and that such projects would not require review and approval by DOA. Specify that DOA would not take charge of and supervise engineering or architectural services or construction work performed for such projects. Specify that the Board of Regents could employ engineering, architectural, or allied services and expend money for construction purposes for energy conservation projects approved by the UW System President and financed through the state's master lease program.

Specify that the following current law provisions would not apply to eligible energy conservation projects approved by the UW System President and financed through the state's master lease program: (a) an exemption for contracts for engineering or architectural services, for construction work of more than \$10,000, and for limited trades work of more than \$30,000 from current law related to contractual services and bidding; (b) a requirement that DOA attempt to ensure that 5% of the amount expended through such contracts be paid to minority businesses; (c) a requirement that DOA attempt to ensure that 1% of the amount expended through such contracts be paid to disabled veteran-owned businesses; and (d) a provision specifying such contracts, payments related to those contracts, and change orders related to those contracts must be approved by the DOA Secretary or his or her designated assistant and, in some cases, the Governor.

Provide that the UW System would be able to undertake or finance energy conservation projects through other state programs including DOA's energy efficiency program.

Veto by Governor [B-19]: Delete provision.

[Act 55 Vetoed Sections: 29, 29m, 35m, 41m, 55m, 364m (as it relates to eligible energy conservation projects), 366m (as it relates to eligible energy conservation projects), 375m, 378t, 392g (as it relates to eligible energy conservation projects), 392r (as it relates to eligible energy conservation projects), and 1176m]

32. INVESTMENT OF CERTAIN FUNDS [LFB Paper 684]

Joint Finance/Legislature: Provide that the Board of Regents may invest revenues from its auxiliary enterprises, gifts, grants, donations, and segregated fees collected for building projects by doing one of the following: (a) directly employing a financial manager to oversee the investment of these funds; (b) contracting with the State of Wisconsin Investment Board (SWIB); or (c) selecting a private investment firm using the current law competitive sealed proposal process. Specify that the Board would not be required to deposit revenues from its auxiliary enterprises, gifts, grants, donations, and segregated fees collected for building projects in the State Investment Fund if the Board invests those moneys as specified in (a), (b), or (c). Modify the UW System's program revenue appropriations for general program operations and gifts and nonfederal grants and contracts to include earnings from the investment of revenues from its auxiliary enterprises, gifts, grants, donations, and segregated fees collected for building projects.

In addition, provide that SWIB would invest the UW System's auxiliary enterprises revenues, gifts, grants, donations, and segregated fees collected for building projects if

contracted to do so by the Board of Regents. Specify that SWIB would invest these moneys in accordance with the terms of the contract with the Board of Regents and the SWIB's standard of responsibility.

Veto by Governor [B-20]: Delete references to auxiliary enterprises and segregated fees collected for building projects. As a result of the partial veto, the Board of Regents is authorized to invest revenues from gifts, grants, and donations, but is not authorized to invest revenues from auxiliary enterprises and segregated fees collected for building projects. Those funds continue to be deposited in the State Investment Fund.

[Act 55 Sections: 580m thru 585m, 1011m, and 1162r]

[Act 55 Vetoed Section: 1162r]

33. TRANSFER OF CONTINUOUS SERVICE BENEFITS

Joint Finance/Legislature: Provide that the administrator of the Division of Personnel Management in the Department of Administration and the Board of Regents and the UW-Madison Chancellor shall enter into a memorandum of understanding (MOU). Specify that the MOU shall permit employees of the UW System who are appointed to positions in other state agencies to receive credit for their years of service with the UW System for the purposes of transferring continuous service benefits, including accumulated sick leave. Specify that the administrator of the Division of Personnel Management shall promulgate rules necessary to implement the provisions of the MOU.

[Act 55 Section: 3710m]

34. APPLICANTS FOR UW POSITIONS

Joint Finance/Legislature: Provide that current law regarding the release of the names of applicants to state positions other than those in the classified service does not apply to positions in the UW System. Instead, provide that the names of applicants who are seriously considered for appointment or whose names are certified for appointment, and whose name is submitted for final consideration to an authority for appointment, to the following UW positions are subject to release under public records law: (a) the UW System President; (b) UW System senior vice presidents and vice presidents; (c) the Chancellor of each UW institution; and (d) the vice chancellor who serves as a deputy at each institution. Specify that this provision first applies to requests to inspect or copy a record that are made on the effective date of the bill.

[Act 55 Sections: 453f thru 453x and 9348(1f)]

35. ACCOUNTABILITY MEASURES

Joint Finance/Legislature: Require the Board of Regents to identify accountability measures in all of the following areas: (a) financial management; (b) administrative manage-

ment; (c) educational performance; and (d) research and economic development. Specify that the Board must submit the accountability measures identified to the Chief Clerk of each house by October 1, 2015, for distribution to the appropriate standing committees and approval by those committees.

[Act 55 Section: 9148(8u)]

36. CREATE A DEFINITION OF UNIVERSITY STAFF

Joint Finance/Legislature: Delete the current law definition of "classified staff" from the statutory chapter governing the UW System. Create a definition in that chapter for "university staff" and specify that "university staff" means all employees of the UW System other than faculty, academic staff, persons whose employment is a necessary part of their training, student assistants, and student hourly help. Replace current law references to UW classified staff with references to university staff. Delete current law references to the unclassified service, unclassified employees, and the classified service where those terms refer to UW employees. On July 1, 2015, all UW employees were transferred to new personnel systems that are separate and distinct from the state personnel system. Beginning on that date, UW employees are no longer part of the state unclassified and classified service.

[Act 55 Sections: 95m, 862m, 1118m, 1160m, 1225m, 1296m, 1398m, and 3133m]

37. OFFICE OF EDUCATIONAL OPPORTUNITY

Joint Finance/Legislature: Require the Board of Regents to create the Office of Educational Opportunity within the UW System to act as a new authorizer of independent charter schools. Require the UW System President to appoint a special assistant to serve as the Director of the Office no later than 120 days after the effective date of the bill. Specify that the Director would serve at the pleasure of the President and require the Board to set the salary range for the Director position.

Require the Office to evaluate proposals for charter school contracts, monitor pupil academic performance at charter schools authorized by the Office, and monitor the overall operations of charter schools authorized by the Office. Provide that the Director of the Office may: (a) appoint up to two associate directors; (b) form advisory councils to make recommendations for authorizing charter schools; (c) collaborate with chancellors, faculty, academic staff, and students within the UW System; and (d) solicit private gifts and grants for charter schools established by the Office. Specify that the Director could contract for the establishment of a charter school located only in school districts with membership over 25,000 pupils (currently Milwaukee and Madison).

Require the Director to report to the Board any private gift or grant received by the Office and how the Director intends to use the private gift or grant. Specify that, if the Office receives a private gift or grant, the Director must use the gift or grant, or invest the same in the case of moneys, as specified by the donor or grantor. Provide that, in the absence of any specific direc-

tion as to the use of the gift or grant, the Director may, at his or her sole discretion, determine the use or investment of the gift or grant to support the Office or any charter school authorized by the Office. Specify that the Board may not exercise control over a private gift or grant received by the Office. Provide that any private gift or grant received by the Office would be exempt from current law regarding gifts, grants, and bequests to the UW System or any of its institutions, departments, or facilities.

For information on the financing of charter schools authorized by the Office, see "Public Instruction -- Choice, Charter and Open Enrollment."

Veto by Governor [B-9 and B-10]: Delete the provision that would have required the UW System President to appoint a special assistant to serve as the Director of the Office of Educational Opportunity within 120 days of the effective date of the act. As vetoed, the UW System President is required to appoint a special assistant to serve as the Director of the Office of Educational Opportunity but there is no time frame for the appointment. In addition, delete the provision that would have required the UW Board of Regents to set the salary range for the Director of the Office of Educational Opportunity.

[Act 55 Sections: 1138m, 1275m, and 1325m]

[Act 55 Vetoed Sections: 1207g and 9148(4g)]

Create UW System Authority

The Governor's budget bill would have converted the UW System to a public authority on July 1, 2016. The Joint Finance Committee did not approve the Governor's proposal to convert the UW System to a public authority and deleted most of the provisions related to that proposal. The Joint Finance Committee did approve some of the provisions related to the Governor's proposal to convert the UW System to a public authority, as well as some provisions that were similar to provisions included in the Governor's proposal, while retaining the UW System as a state agency. These provisions, along with the provisions related to the Governor's proposal to convert the UW System to a public authority that were deleted by the Joint Finance Committee, are described in the following section. All items described in this section that were approved by the Joint Finance Committee and the Legislature took effect on the effective date of the bill.

1. CONVERT UW SYSTEM TO UW SYSTEM AUTHORITY [LFB Paper 675]

	Governor (Chg. to Base) Positions	Jt. Finance/Leg. (Chg. to Gov) Positions	Net Change Positions
GPR	- 18,223.61	18,223.61	0.00
PR	- 10,722.97	10,722.97	0.00
FED	<u>- 5,579.63</u>	<u>5,579.63</u>	<u>0.00</u>
Total	- 34,526.21	34,526.21	0.00

Governor: Create the UW System Authority as a public body corporate and politic on July 1, 2016, and convert the UW System to the UW System Authority on that date. Provide for all of the following related to the conversion of the UW System and the UW System Authority: (a) current members of the Board of Regents would continue to serve as members of the Board of Regents of the UW System Authority until the expiration of the terms to which they were appointed; (b) the assets and liabilities, as determined by the DOA Secretary, of the UW System would become the assets and liabilities of the UW System Authority; (c) all UW System employees would become employees of the UW System Authority and that UW System employees who were employed by the UW System Board of Regents prior to July 1, 2016, would be eligible to transfer to state civil service positions before July 1, 2017; (d) all tangible personal property, including records, of the UW System, as determined by the DOA Secretary, would become personal property of the UW System Authority; (e) any matter pending with the UW System on July 1, 2016, would be transferred to the UW System Authority and all materials submitted to or actions taken by the UW System would be considered to have been submitted to or taken by the UW System Authority; (f) all contracts and agreements entered into the UW System that are in effect on July 1, 2016, would remain in effect and would be transferred to the UW System Authority; (g) the UW System Authority would carry out any obligations under those contracts and agreements unless modified or rescinded to the extent allowed under the contract or agreement; (h) all policies of the UW System Board of Regents in effect on July 1, 2016, would remain in effect until their specified expiration dates or until amended or repealed by the UW System Authority; and (i) all orders issued by the UW System Board of Regents in effect on July 1, 2016, would remain in effect until their specified expiration dates or until modified or rescinded by the UW System Authority.

Specify that (b), (c), and (d) above would not apply to the assets, liabilities, employees, and tangible personal property, including records, primarily related the State Laboratory of Hygiene and the Veterinary Diagnostic Laboratory as determined by the DOA Secretary. The State Laboratory of Hygiene and the Veterinary Diagnostic Laboratory would be transferred to the Department of Agriculture, Trade, and Consumer Protection under a separate provision.

In addition, modify statutory references to the University of Wisconsin System to read "the University of Wisconsin Authority."

Joint Finance/Legislature: Delete provision.

2. LEASE OF STATE-OWNED PROPERTY AND FACILITIES

Governor: Require the Board of Regents to negotiate and enter into a lease agreement for an initial period of not more than 75 years with the Secretary of the Department of Administration to lease any state-owned property or facilities required for the Board to perform its duties and exercise its powers. Specify that the lease agreement include provisions to accomplish all of the following:

a. Require the Board to pay a nominal fee to the state for leasing property and facilities under the agreement. The amount of this fee, which would be determined by the parties, should be sufficient to prevent the lease agreement from being unenforceable because of a lack of consideration.

b. Require the Board to conduct its operations in such a way that it will not adversely affect the tax exempt status of bonds issued by the state.

c. Give the state ownership of any improvements or modifications made by the Board to property or facilities leased under the agreement and any facility that the Board constructs on state-owned land.

d. Require the Board to obtain the approval of the Building Commission for any construction or renovation project involving a state-owned facility or occurring on state-owned land, if the cost of the project is at least \$760,000. This provision would apply regardless of the source of funds used to finance the project.

e. Require the Authority to make payments for principal and interest costs incurred in financing self-amortizing university facilities and to make payments under an agreement or ancillary arrangement with the Building Commission.

f. Make the Board responsible for maintenance and upkeep of the facilities and property leased under the agreement.

g. Ensure that the general management and operation of the facilities and property leased under the lease agreement are consistent with the duties and powers of the Board.

h. Establish a mechanism for the resolution of disputes.

Provide that the Board would submit the lease agreement described above and any subsequent modification, extension, or renewal to the Joint Committee on Finance. Specify that no extension or renewal of the lease agreement could exceed a period of 75 years. Provide that the lease agreement and any modification, extension, or renewal would take effect only upon the approval of the Joint Finance Committee.

In addition, provide that the Building Commission and DOA would not have the authority to sell or lease any state-owned real property leased to the UW System Authority.

Joint Finance/Legislature: Delete provision.

3. CREATE A STATE SYSTEM OF HIGHER EDUCATION

Governor: As part of the statutory chapter that would establish the proposed UW System Authority, include a statement that would create a state system of higher education to be known as the University of Wisconsin System and to be provided by the University of Wisconsin System Authority. The UW System would be created in recognition of the constitutional obligation to provide by law for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in as different parts of the state as the interest of education may require. The UW System would have as its purpose to: (a) enable students of all ages, backgrounds, and levels of income to participate in the search for knowledge and individual development; (b) foster diversity of educational opportunity; (c) promote service to the public; and (d) promote internal coordination and the wisest possible use of resources. As under current law, the principal office and one university of the System would have to be located at or near the seat of state government.

Under current law, in addition to (a) through (d) above, the UW System's goals include all of the following: (a) stress undergraduate teaching as its main priority; (b) offer selected professional graduate and research programs with emphasis on state and national needs; (c) make effective and efficient the use of human and physical resources; and (d) function cooperatively with other educational institutions and systems.

Joint Finance/Legislature: Delete provision.

4. UW SYSTEM AUTHORITY BOARD OF REGENTS

Governor: Delete the UW System Board of Regents and create the UW System Authority Board of Regents. Provide that the UW System Authority Board of Regents would have the same membership as the UW System Board of Regents under current law except that the bill does not specify that the terms of citizen members should be staggered. As under current law, all members nominated by the Governor would be subject to the advice and consent of the Senate and vacancies would be filled in the same manner as the original appointment for the remainder of the unexpired term. As under current law, Board members would not be compensated for their service but could be reimbursed for actual and necessary expenses related to their service.

Require the Regents to elect a chairperson annually and permit the election of other officers as considered appropriate by the Board. Under current law, the Regents elect a president, vice president, and secretary annually. In addition, delete the requirement that the Board appoint a secretary to keep a faithful record of all its transactions.

Provide that no cause of action may rise against, and no civil liability could be imposed upon, a Regent for any act or omission in the performance of his or her powers and duties under Chapter 36 (University of Wisconsin System Authority) of state statutes. This provision would not apply if the person asserting the liability proves that the act or omission constitutes willful misconduct.

Delete the Board of Regents staff that is provided by the Department of Administration

(DOA). Under current law, DOA is required to provide two unclassified full-time equivalent positions to staff the Board of Regents.

In addition, modify a current law to require that the Board provide in its operating policies for access to the Board by the public, faculty, students, and employees, instead of by the public, faculty, students, and chancellors as under current law.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Department of Administration provide two unclassified full-time equivalent positions to staff the Board of Regents. Otherwise, delete the provision and maintain prior law regarding the UW System Board of Regents.

[Act 55 Sections: 233, 307, 1114, and 1172]

5. GENERAL RESPONSIBILITIES OF THE BOARD OF REGENTS

Governor: Provide that the responsibility for governance of the UW System be vested in the Board of Regents which would: (a) adopt policies and procedures for governing the UW System; (b) plan for the future needs of the state, including workforce needs, for university education; (c) ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers; and (d) provide affordable access to high-quality postsecondary, graduate, and doctoral education. Provide that the Board would possess all powers necessary or convenient for the operation of the UW System and the implementation of Chapter 36 (University of Wisconsin System Authority), including the following powers in connection with its projects and program, in addition to all other powers granted by that Chapter: (1) the power to sue and be sued, to have a seal and to alter the seal at pleasure, to have perpetual existence, to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Board, to contract for legal services, and to make, amend, and repeal bylaws; and (2) the power to accept gifts, loans, and other aid.

This differs from current law in that: (a) the Regents would adopt policies and procedures for governing the UW System instead of enacting policies and promulgating rules for the same purpose; (b) statutes would explicitly define "needs of the state" to include workforce needs; (c) language requiring the Regents to promote the widest degree of institutional autonomy within the controlling limits of systemwide policies and priorities established by the Board would be deleted; (d) language requiring the Board to provide affordable access to high-quality postsecondary, graduate, and doctoral education would be added; (e) cross-references to the authority of the State Building Commission and the Department of Administration to sell or lease state-owned property would be deleted; (f) the Board would have all powers necessary or convenient for the implementation of the chapter in addition to the operation of the UW System; and (g) the Board would be granted additional powers as specified in (1) and (2) above.

With regard to the acceptance of gifts, delete all of the following: (a) language prohibiting the Board of Regents from accepting any gift, grant, or bequest of real property with a value of more than \$150,000 or any gift, grant, or bequest of a building or structure that is constructed for the benefit of the UW System or any UW institution without prior approval of the Building

Commission; (b) language specifically allowing the Board of Regents to accept a gift of a motor vehicle; (c) language limiting the amount of income that may be accumulated related to a gift to the UW System to 20 times the amount of the original gift; (d) language prohibiting the Board from investing more than 85% of trust funds held by the Board in common stock; and (e) language specifying that gifts should not knowingly be invested in companies that discriminate on the basis of race, religion, color, creed, or sex.

Joint Finance/Legislature: Delete provision.

6. ESTABLISH UW SYSTEM MISSION

Governor: Establish the UW System mission as being to develop human resources to meet the state's workforce needs; to discover and disseminate knowledge; and to develop in students heightened intellectual, cultural, and human sensitivities, scientific, professional, and technological expertise, and a sense of purpose.

Under current law, the mission of the UW System is as follows: "to develop human resources, to discover and disseminate knowledge, to extend knowledge and its application beyond the boundaries of its campuses and to serve and stimulate society by developing in students heightened intellectual, cultural and humane sensitivities, scientific, professional and technological expertise and a sense of purpose. Inherent in this broad mission are methods of instruction, research, extended training and public service designed to educate people and improve the human condition. Basic to every purpose of the system is the search for truth."

Joint Finance/Legislature: Delete provision.

7. INSTITUTIONAL MISSIONS AND EDUCATIONAL PROGRAMS

Governor: Provide that the Board may, after a public hearing at an institution, establish for the institution a mission statement delineating specific program responsibilities and types of degrees to be granted. Provide that the Board would determine the educational programs to be offered in the UW System and may discontinue educational programs as it deems necessary. Provide that the Board would establish policies to guide program activities to ensure that they are compatible with the mission of the institutions of the UW System.

This differs from current law in that: (a) the establishment of institutional mission statements is made optional instead of being required; and (b) a requirement that the Board make all reasonable effort to provide night courses is deleted.

Joint Finance/Legislature: Delete provision.

8. REPRESENTATION BY THE ATTORNEY GENERAL

Governor: Provide that Department of Justice would provide the following services to the Board of Regents of the UW System Authority and to any official, employee, or agent of the Board of Regents: (a) appear and prosecute or defend all actions and proceedings, civil or

criminal, in the Court of Appeals and the Supreme Court, in which the Board is a party or has an interest, and attend to and prosecute or defend all civil cases sent or remanded to any circuit court, in which the Board is a party; (b) as requested by the Governor or either house of the Legislature, appear for and represent the Board of Regents or any official, employee, or agent thereof, whether required to appear as a party or witness in any civil or criminal matter, and prosecute and defend in any court or before any officer, any cause or matter, civil or criminal in which the Board or the people of this state have an interest; (c) as requested by the Board of Regents or UW System chief executive officer, the Attorney General may appear for and defend the Board of Regents or any officer, employee, or agent thereof in any civil action or other matter brought before a court or an administrative agency which is brought against the Board, officer, employee, or agent for or on account of any act growing out of or committed in the lawful course of an officer's, employee's, or agent's duties; and (d) as requested by the Board of Regents or the UW System chief executive officer, the Attorney General may appear for and represent any Board official, employee, or agent who is required to appear as a witness in any administrative or civil matter. These provisions would not apply if the state and the Authority were adverse parties. These services would be the same as those provided to the UW System as a state agency under current law except that under the bill the Attorney General would not prosecute or defend the UW System Authority at the request of the Board of Regents or the UW System chief executive officer in actions stemming from breach of contract and would not have the authority to compromise and settle an action involving the UW System Authority described in (c) above as he or she determines to be in the best interest of the state.

Joint Finance/Legislature: Delete provision.

9. ADMINISTRATIVE RULES, POLICIES, AND PROCEDURES

Governor: Authorize the UW System Authority Board of Regents to promulgate rules in the following areas in which the UW System Board of Regents is authorized to promulgate rules under current law: (a) to protect the lives, health, and safety of persons on property under the jurisdiction of the Board, to protect such property, and to prevent obstruction of the functions of the UW System; and (b) for the management of all property under its jurisdiction, for the care and preservation thereof, and for the promotion and preservation of the orderly operation of the UW System in any or all of its authorized activities and in any or all of its institutions. Require the UW System Authority Board of Regents to promulgate rules governing the times, places, and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls as the UW System Board of Regents is required to do under current law. Provide that rules promulgated by the UW System Board of Regents in these areas that are in effect on July 1, 2016, would remain in effect until their specified expiration date or until amended or repealed by the UW System Authority Board of Regents.

Provide that current law regarding administrative rules would apply to the UW System Authority and that rules promulgated by the UW System Authority Board of Regents would be included in the Wisconsin administrative register and be part of the Wisconsin Administrative Code. Provide that the exclusive means of judicial review of the validity of rules promulgated by the UW System Authority would be an action for declaratory judgment as to the validity of

the rule brought in circuit court. Additional provisions regarding judicial review of administrative rules that apply to rules promulgated by state agencies would not apply to rules promulgated by the UW System Authority.

Delete the current law provision allowing the Board of Regents to use statutory citation procedures to recover forfeitures resulting from a violation of rules promulgated by the Regents under (b) above.

Provide that the UW System Authority Board of Regents would adopt policies and procedures, instead of promulgate rules as the UW System Board of Regents is required to do under current law, in the following areas: (a) the definition of continuation or termination of student status during periods between academic periods; (b) governance of the system, planning for the future needs of the state, including workforce needs, for university education, ensuring the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers, and providing affordable access to high-quality postsecondary, graduate, and doctoral education; (c) related to conflicts of interest; (d) paid sick leave; (e) student conduct and the administration of violations; (f) accommodation of religious beliefs with regard to examinations and other academic requirements; and (g) food services plans for elderly persons. Specify that policies and procedures related to sick leave would not be required to include a provision allowing employees to accumulate unused sick leave. In addition, provide that the Board may adopt policies and procedures, instead of promulgate rules as under current law, related to granting preference in housing to Wisconsin residents.

Provide that policies or procedures adopted by the Board of Regents would not be subject to current law regarding the promulgation of administrative rules. Modify current law permitting the Board of Regents to obtain injunctive relief to enforce Chapter 36 of state statutes (University of Wisconsin System Authority) and any rules promulgated by the Board to also permit the Board to obtain injunctive relief to enforce policies and procedures adopted by the Board. In addition, delete references in a separate chapter to UW System rules and the promulgation of rules by the Board.

Joint Finance/Legislature: Delete provision.

10. PARKING RULES, FEES, AND FINES

Governor: Provide that the UW System Authority Board of Regents could promulgate rules regarding the removal and disposal of abandoned vehicles and could make general policies and authorize chancellors to adopt rules regulating the parking of motor vehicles on property under their jurisdiction, as under current law. Provide that any such rules adopted by the UW System Board of Regents or chancellors that are in effect on July 1, 2016, would remain in effect until their specified expiration date or until amended or repealed by the UW System Authority Board of Regents. Delete language specifying that parking fines imposed for violations of parking rules be used only for the purpose of developing and operating parking or other transportation facilities at the institution at which collected and for enforcing parking rules.

Delete language requiring the Board of Regents to direct each institution to charge parking

fees and the specification that these fees be sufficient to recover the costs of the construction and maintenance necessary for parking facilities.

Joint Finance/Legislature: Delete provision.

11. LOBBYING

Governor: Provide that the UW System Authority would be treated as a state agency for the purpose of state law regarding lobbying. Under current law, state agencies are not required to register with, or submit expense statements to, the Government Accountability Board (GAB). State agencies are required to annually submit by January 31 and July 31 a statement to the GAB identifying the officers and employees of that agency whose duties include attempting to influence legislative action. Agency officers and employees are not required to apply to the GAB for a lobbyist license. In addition, current law specifies that the following actions are not considered to be lobbying when taken by a state agency: (a) providing requested information to a legislator or legislative committee; (b) lobbying of an official of a different agency; and (c) requesting information from a person or providing requested information to a person.

In addition, delete a current law provision permitting UW System officers and employees to accept items of pecuniary value from an association, corporation, limited liability company, partnership, or other entity that employs a lobbyist, for service as a member of the governing board of that association, corporation, limited liability company, partnership or entity. The current law provision specifies that the value of such items must not exceed the value of such items provided to other members of the governing body for the same service.

Joint Finance/Legislature: Delete provision.

12. ESTABLISH ANNUAL BUDGETS

Governor: Provide that the Board would establish the Authority's annual budget and monitor the fiscal management of the Authority. Provide that the Board would allocate funds and adopt budgets for the respective institutions. Specify that if the Board ceases or suspends operation of any institution or UW Colleges campus, any appropriation to the Board for operation of the institution or UW Colleges campus could be utilized by the Board for any other purpose authorized by the appropriation within the period for which it was made. Require the Board to provide the Secretary of the Department of Administration with such financial and statistical information as is required by the Secretary.

This differs from current law in that: (a) the Board would be required to establish an annual budget and monitor the fiscal management of the Authority; (b) current law requiring the Board to give consideration to the principles of comparable budgetary support for similar programs and equitable compensation for faculty and academic staff with comparable training, experience, and responsibilities and recognizing competitive ability to recruit and retain qualified faculty and academic staff in adopting the budgets for respective institutions would be deleted; and (c) the requirement that the Board provide the DOA Secretary with the above information would be added.

Joint Finance/Legislature: Delete provision.

13. GPR FUNDS PROVIDED QUARTERLY

Governor: Provide that beginning on July 1, 2016, the DOA Secretary would make quarterly payments to the UW System Authority in an amount equal to one-quarter of the UW System Authority's GPR appropriation for general program operations. Specify that the DOA Secretary would only make such payments if the UW System Authority had made the payments due under its lease agreement with the state, the payments due for municipal services, and any other payments for any obligation otherwise due to the state.

In addition, provide that Joint Committee on Finance would have the authority to reduce the GPR general program operations appropriation for the UW System Authority as an emergency measure in the case of decreased state revenues. Under current law, this provision applies to the appropriations of all state boards, commissions, and departments, and to the UW System, with certain appropriations being exempt from any reduction.

Joint Finance/Legislature: Delete provision.

14. FUTURE GPR FUNDING LEVELS [LFB Paper 680]

Governor: Provide that \$753,533,000 in general sales and use taxes would be used to fund the amount shown in the appropriations schedule for the UW System Authority's GPR general program operations appropriation in 2017-18. Provide that, beginning in 2018-19, the amount of general sales and use taxes used to fund the amount shown in the schedule for the UW System Authority's GPR general program operations appropriation would be the amount used for that purpose in the previous year adjusted to reflect any changes in the U.S. consumer price index for all urban consumers (CPI-U) for the 12 month period ending on the preceding December 31.

It should be noted that while it appears that the Governor's intention is to provide \$753,533,000 GPR to the UW System Authority in 2017-18 and to provide that amount adjusted by CPI-U in future years, under the bill the amount of GPR funding that the UW System Authority would receive would be the amount shown in the appropriation schedule. If the Legislature wishes to accomplish the Governor's intent, it should also modify the appropriation language under Chapter 20 of the statutes.

In addition, the amount of general sales and use tax revenue that the Governor's budget would provide to the UW System Authority in 2017-18 would be \$21,313,500 less than the \$774,846,500 GPR that would be appropriated to Authority in 2016-17 under the bill. When combined with the \$128,686,500 proposed GPR base budget reduction in 2016-17, this would result in an ongoing GPR base budget reduction of \$150,000,000 for the UW System Authority.

Joint Finance/Legislature: Delete provision.

15. BIENNIAL BUDGET REQUESTS

Governor: Require the UW System Authority to submit a budget request to the Department of Administration and the Legislative Fiscal Bureau by September 15 of each even-numbered year, as the UW System is required to do as a state agency under current law. Delete language requiring the Board to specify the anticipated completion date of all research and public service projects for which the Board requests state general purpose revenue in its biennial budget request.

Joint Finance/Legislature: Delete the provision requiring the UW System Authority to submit a budget request. The UW System, as a state agency, continues to be required to submit a budget request as under prior law.

Approve the Governor's recommendation to delete the requirement that the Board specify the anticipated completion date for all research and public service projects for which the Board requests state general purpose revenue in its biennial budget request.

[Act 55 Section: 1294g]

16. DEPOSIT OF CASH BALANCES IN THE LOCAL GOVERNMENT POOLED-INVESTMENT FUND [LFB Paper 675]

Governor: Require the UW System Authority to transfer daily to the State Treasurer for deposit into the local government pooled-investment fund, which is invested in the state investment fund, the collected net cash balance from all sources except auxiliary enterprises, segregated fees accumulated for building projects, and gifts, grants, and donations. Under current law, UW System cash balances are deposited in a separate account in the state investment fund.

In addition, delete a current law provision specifying that the State Treasurer acts as the treasurer of the Board of Regents.

Joint Finance/Legislature: Delete the Governor's provision that would have required the UW System Authority to transfer daily to the State Treasurer for deposit into the local government pooled-investment fund the collected net cash balance from all sources except auxiliary enterprises, segregated fees accumulated for building projects, and gifts, grants, and donations.

Approve the Governor's recommendation to delete current law specifying that the State Treasurer acts as the treasurer of the Board of Regents.

[Act 55 Section: 1124]

17. APPLICATION FOR AND ACCEPTANCE OF FEDERAL FUNDS

Governor: Delete the requirement that the Board of Regents report to the Governor and the Co-Chairpersons of the Joint Committee on Finance annually, by October 1, the date,

amount, and purpose of any federal moneys accepted by the Board for instruction, extension, special projects, or emergency employment in the preceding fiscal year.

Under current law, the Governor accepts federal funds on behalf of the state except that the Board of Regents is permitted to accept federal moneys on behalf of the state for the purposes listed above. Current law also exempts the UW System from a requirement that agencies submit plans, budgets, applications, and proposals required by federal agencies as a precondition to the receipt of federal funds to the Governor for approval prior submitting such materials to federal agencies. Under the bill, the Board of Regents would continue to have the authority to accept certain federal funds on behalf of the state and to submit plans, budgets, applications, and proposals to federal agencies without prior approval of the Governor.

Provide that the UW System Authority would not be subject to the statewide indirect cost allocation plan developed by the Department of Administration (DOA) and would not be required to prepare an individual, specific, indirect cost allocation plan at the request of DOA. The UW System Authority would also not be required to use the procedures prescribed by DOA to allocate and charge central services costs to selected federal grants and contracts and would also not be limited in its use of indirect cost reimbursements. In addition, a current law provision requiring state agencies to notify the State Auditor prior to accepting a federal grant that may involve the provision of auditing services by the Legislative Audit Bureau would not apply to the UW System Authority.

Provide that the UW System Authority would not be required to do the following: (a) notify DOA and the Joint Committee on Finance of federal disallowances of more than \$10,000; (b) submit quarterly reports to the DOA Secretary regarding such federal disallowances; and (c) submit for approval by the DOA Secretary a proposal to resolve such a disallowance. Under current law the UW System as a state agency is required to do all of the above with regard to federal disallowances except that the UW System can resolve federal disallowances of less than \$5,000 without prior approval by the DOA Secretary of a proposal to do so.

Joint Finance/Legislature: Delete provision.

18. EXEMPTION FROM PROPERTY, CORPORATE, AND SALES AND USE TAXES

Governor: Exempt all property owned by the UW System Authority and all property leased to the UW System Authority by the state from property tax provided that the use of the property is primarily related to the purposes of the Authority. In addition, provide that the UW System Authority would be exempt from the state's corporate income tax and sales and use taxes.

Joint Finance/Legislature: Delete provision.

19. PAYMENT OF MUNICIPAL SERVICES

Governor: Beginning July 1, 2016, require the UW System Authority to make payments for municipal services provided to facilities of the Authority that are exempt from property tax. Under current law, the Department of Administration makes payments for municipal services on

behalf of the UW System from a GPR appropriation for that purpose. Delete language specifying that resident tuition revenue not be used for the payment of municipal services. In addition, require the UW System Authority to pay DOA its proportionate share of the negotiated payments for municipal services for municipal services provided to the UW System in the 2015-16 fiscal year prior to July 1, 2017.

As under current law, DOA, which has primary responsibility for the negotiation of municipal services payments, may delegate certain responsibilities for the negotiation of those payments to the UW System Authority. Municipalities would continue to be prohibited from withholding services to the UW System Authority during these negotiations.

Joint Finance/Legislature: Delete provision.

20. PAYMENT FOR EXTRAORDINARY POLICE SERVICES

Governor: Provide that the UW System Authority would pay for extraordinary police services provided to facilities owned by the Authority or leased from the Authority by the state. Under current law, the state pays for extraordinary police services provided to UW facilities.

Joint Finance/Legislature: Delete provision.

21. EMPLOYMENT BY THE UW SYSTEM AUTHORITY BOARD

Governor: Provide that the Board may employ any agent or employee that the Board finds necessary and shall appoint the state geologist, the director of the psychiatric institute, and the state cartographer. In addition, require the Board of Regents to appoint and fix the compensation of a chief executive officer of the UW System Authority who would serve at the pleasure of the Board.

Under current law, the Board is required to appoint all of the following in addition to the four specific positions listed above: (a) a president of the system; (b) a chancellor of each institution; (c) a dean for each college campus; (d) the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the UW System; (e) faculty; (f) academic staff; and (g) other employees. The Board is also required to fix the term of office for each employee appointed and to fix the duties and the salaries, subject to statutory limitations, of all appointed employees and the vice presidents, associate vice presidents, and assistant vice presidents of the UW System. (Under current law, UW System vice presidents, associate vice presidents, and assistant vice presidents are appointed by the UW System President, not the Board of Regents.)

In addition, delete current law that would take effect on July 1, 2015, which would designate the UW System and the UW-Madison Chancellor as the appointing authority for positions.

Joint Finance/Legislature: Delete provision.

22. PERSONNEL SYSTEMS

Governor: Require the Board of Regents to develop and implement a personnel structure and other employment policies for all employees of the UW System Authority. Specify that the UW System Authority would not be subject to state law regarding employment relations or to oversight by the Director of the Office of State Employment Relations (the administrator of the Division of Personnel Management in the Department of Administration under the bill).

Delete language authorizing the Board of Regents and the UW-Madison Chancellor to develop personnel systems for all UW System employees. Under current law these personnel systems are required to include the following: (a) salary ranges for the UW System President, UW System senior, associate, and assistant vice presidents, chancellors, vice chancellors, assistant chancellors, assistant and associate vice chancellors, and administrative directors and associate directors of physical plant, general operations and services, and auxiliary enterprises; and (b) a civil service system, a grievance procedure that addresses employee terminations, and provisions that address employee discipline and workforce safety.

Joint Finance/Legislature: Delete provision. Instead, modify two current law references to persons who are assigned to university senior executive salary groups and delete one such reference to conform with other changes made under 2011 Act 32 related to the creation of the UW personnel systems.

[Act 55 Sections: 932m, 3796g, and 3796r]

23. EMPLOYEE PARTICIPATION IN WRS AND GROUP HEALTH AND SALARY DEDUCTIONS

Governor: Provide that the UW System Authority would be considered a state agency for the purpose of employee participation in the Wisconsin retirement system, group health insurance, and other benefit programs administered by the Department of Employee Trust Funds. Provide that the UW System Authority, and other state authorities, would be required to make payments to the state related to pension obligation bonds issued by the state, and that the Secretary of the Department of Administration (DOA) could require direct payments to the state by state agencies, including authorities, rather than lapses or transfers. Under current law, the DOA Secretary transfers amounts from the appropriations of the UW System and all state agencies to fund principal and interest payments related to pension obligation bonds. In addition, delete language requiring the Board of Regents to permit employees to accumulate unused sick leave.

Provide that any UW System Authority employee may request in writing to have part of his or her salary deducted and paid by the Authority to a designated payee for the following purposes: (a) purchase of savings bonds; (b) payment of amounts owed by the employee to the Authority, a state agency, or the UW Hospitals and Clinics Authority; (c) payment of child support, maintenance payments, or family support; (d) payment of premiums for group hospital and surgical-medical insurance or plan, group life insurance, and other group insurance where such insurance or plans are provided and approved by the group insurance board; (e) other group

or charitable purposes approved by the Governor and DOA; (f) payment into an employee-funded reimbursement account maintained by an employee-funded reimbursement account provider; or (g) payment into a health savings account. In addition, an employee of the Authority may request in writing that a specified part of his or her salary be deferred under a deferred compensation plan. Provide that the UW System Authority would be responsible for making deductions from an employee's salary if a portion of that employee's income has been assigned to child support or maintenance payments. Under current law, the UW System may make deductions from an employee's salary for the purposes described above due to its status as a state agency.

Delete current law that specifically permits the Board to make salary reductions related to deferred compensation programs and the purchase of annuities for employees and to deduct contributions from the salaries of football coaches for a pension plan. Delete current law permitting the Secretary of the Department of Administration to require the appropriate UW System payroll processing center to process forms, papers, deductions, checks, and drafts related to the garnishment of the earnings of UW employees.

Joint Finance/Legislature: Approve the Governor's recommendation to delete current law that permits the Board of Regents to deduct contributions from the salaries of football coaches who are eligible and wish to participate in the qualified pension plan for football coaches established as the American football coaches retirement trust. Otherwise maintain current law regarding UW employee participation in the Wisconsin retirement system (WRS), group health insurance, and other benefit programs administered by the Department of Employee Trust Funds, and salary deductions.

[Act 55 Section: 1166]

24. AUTHORITY TO SET EMPLOYEE SALARIES [LFB Paper 681]

Governor: Delete current law requiring the Director of the Office of State Employment Relations (OSER) to submit pay plan recommendations for UW employees to the Joint Committee on Employment Relations (JCOER) and delete UW System pay plan supplemental appropriations. Under the bill, JCOER would not approve a compensation plan for UW employees and the UW System Authority would not receive pay plan supplements.

Delete current law prohibiting the Board of Regents from increasing salaries for UW employees other than as provided in the pay plan approved by JCOER or to correct salary inequities, fund job reclassifications or promotions, or recognize competitive factors. Delete the requirement that the Board report annually to the Joint Committee on Finance, the DOA Secretary, and the OSER Director regarding the amounts of salary increases granted to recognize competitive factors.

In addition, delete the requirement that the Board of Regents establish salaries for UW employees, other than new appointments, prior to July 1 of each fiscal year.

Joint Finance/Legislature: Maintain current law requiring the OSER Director to submit

pay plan recommendations for UW employees to JCOER and restore UW System pay plan supplemental appropriations. In addition, specify that the Board of Regents may not certify any amount to supplement its budget to the Department of Administration to pay the cost of salary and other adjustments approved by JCOER for UW employees during the 2015-17 biennium. Under this provision, the UW System will not receive pay plan supplements from the compensation reserve during the 2015-17 biennium, but could receive pay plan supplements in future biennia. Under a separate budget provision, \$7,928,000 GPR in 2015-16 and \$13,385,500 GPR in 2016-17 is provided to fund the GPR portion of estimated increases in fringe benefit costs for UW employees during the 2015-17 biennium.

Modify prior law prohibiting the Board of Regents from increasing salaries for UW employees except under certain conditions to permit the Board to provide salary increases to recognize merit. Under this provision, the Board is authorized to increase the salary of a UW employee as follows: (a) as provided in the pay plan approved by JCOER for such employees, which may authorize merit adjustments; (b) to correct salary inequities; (c) to fund job reclassifications or promotions; (d) to recognize competitive factors; and (e) to recognize merit. In addition, maintain the requirement that the Board report annually to the Joint Committee on Finance, the DOA Secretary, and the OSER Director regarding the amounts of salary increases granted to recognize competitive factors.

Maintain the requirement that the Board of Regents establish salaries for UW employees, other than new appointments, prior to July 1 of each fiscal year.

[Act 55 Sections: 1136 and 9148(6d)]

25. GPR POSITION AUTHORITY AND REPORTING [LFB Paper 681]

Governor: Delete current law restrictions on the ability of the UW System Board of Regents and the UW-Madison Chancellor to create or abolish positions funded from revenues appropriated under the UW System's GPR appropriation for general program operations. Under current law, the UW System Board of Regents and the UW-Madison Chancellor have the authority to create or abolish positions funded with revenues from any appropriation other than the UW System's GPR appropriation for general program operations. Under the bill, the Board of Regents would have the authority to employ any agent or employee that it finds necessary. The UW-Madison Chancellor would not have this authority.

Delete statutory language stating that is the intent of the Legislature that the UW System provide position and other information to DOA and the Legislature to facilitate accountability for and trace each position over time.

Joint Finance/Legislature: Delete provision. Instead, modify current law to require the Board of Regents to report annually by November 1, instead of quarterly, to DOA and the Co-Chairs of the Joint Finance Committee regarding the number of full-time equivalent positions created or abolished by the Board in the previous 12 month period. Specify that these reports should be based on the October 1 payroll. In addition, delete current law specifying that positions authorized for the UW System not be included in any state position report beginning on

July 1, 2015.

Veto by Governor [B-27]: Restore the provision specifying that positions authorized for the UW System not be included in any state position report beginning on July 1, 2015

[Act 55 Section: 277m]

[Act 55 Vetoed Section: 277m]

26. DELETE LANGUAGE RELATED TO FACULTY TENURE AND PROBATIONARY APPOINTMENTS

Governor/Legislature: Delete the definition of a "tenure appointment" and language establishing the conditions under which the Board of Regents may grant a tenure appointment to a faculty member. Delete current law specifying that a person who has been granted tenure may be dismissed only for just cause and only after due notice and hearing.

In addition, delete the definition of "probationary appointment" and provisions limiting the length of such an appointment to seven years.

[Act 55 Sections: 1209, 1212g, 1212r, 1214g, 3140m, and 3141m]

27. DELETE PROCEDURAL GUARANTEES FOR FACULTY AND ACADEMIC STAFF

Governor: Delete current law specifying that academic staff members may only be dismissed for just cause and only after due notice and hearing. Delete language establishing certain positions as limited appointments and providing that a person who has been granted tenure or who holds an academic staff appointment does not lose that appointment by accepting a limited appointment. Delete provisions allowing the Board of Regents to make fixed term appointments for student assistants and employees-in-training and specifying that persons in those positions do not have the same procedural guarantees as faculty and academic staff members.

Delete language permitting the Board of Regents to terminate faculty and academic staff members in the case of a financial emergency. Delete language prohibiting the Board from employing a person within two years to perform reasonably comparable duties to those of a person whose appointment was terminated due to a financial emergency without first offering such person a reappointment.

Joint Finance/Legislature: Delete provision. Instead, provide that, beginning on July 1, 2015, the Board of Regents could not appoint an academic staff member to a probationary or indefinite term academic staff appointment. Specify that an academic staff member who holds a probationary appointment on June 30, 2015, would hold a fixed term appointment effective July 1, 2015. Modify current law to specify that the policies for indefinite appointments made before July 1, 2015, would provide for permanent status and such other conditions of appointment as

the Board establishes. Delete current law specifying that if in any institution all professional librarians with appropriate graduate degrees have formerly been ranked faculty, then all present and future appointments of professional librarians with appropriate graduate degrees should be ranked faculty except where the Chancellor and faculty designate that such appointments would be academic staff.

In addition, modify prior law to specify that the Board may, with appropriate notice, terminate any faculty or academic staff appointment when such an action is deemed necessary due to a budget or program decision requiring program discontinuance, curtailment, modification, or redirection, instead of when a financial emergency exists as under prior law. Provide that the Board, after consultation with the faculty and Chancellor of each institution, adopt procedures to be followed in the event of termination of faculty and academic staff. Specify that those procedures be consistent with the following provisions.

Provide that the Board may, with appropriate notice, layoff or terminate any faculty member when such an action is deemed necessary due to a budget or program decision requiring program discontinuance, curtailment, modification, or redirection. Specify that such layoffs or terminations may be made only in accord with the following provisions and imply the retention of rights as indicated below. Specify that a nonrenewal, regardless of the reason, is not a layoff or termination for the purpose of the following provisions. Specify that "layoff" means an indefinite suspension or involuntary reduction in services and compensation of a faculty member's employment by the UW System. Specify that "termination" means the permanent elimination of a faculty member's employment by the UW System.

Specify that in the case that faculty members terminated due to budget or a program decision regarding program discontinuance, curtailment, modification, or redirection, layoffs would follow seniority unless a clear and convincing case is made that program or budget needs dictate other considerations such as the need to maintain diversity of specializations within a department. Provide that the faculty of each institution would determine the form of seniority that is to be considered and that such a determination would be effective uniformly throughout the institution. Specify that seniority may be defined as follows or in other ways: (a) without regard to rank, with seniority established by total years of service in the institution; (b) by rank, and within rank according to total years of service in the institution; and (c) by rank, and within rank, according to length of service in the institution at that rank.

Specify that each faculty member who is to be laid off would receive prompt written notification from the Chancellor. Specify that prior to issuing a layoff notification, the Chancellor would offer to consult with, and seek advice from, a faculty committee designated or created by the faculty of the institution. Specify that the notification include all of the following: (a) a summary of the reasons supporting the need for the layoff; (b) a statement of the basis on which the individual position was selected for elimination (if on the basis of seniority, the criterion used and data supporting the choice; if on another basis, the data and reasons supporting that choice); (c) a statement of the date on which the layoff is to be effective; and (d) a copy of the statutes regarding layoff of faculty due to a budget or program decision regarding program discontinuance, curtailment, modification, or redirection and such other information or procedural regulations as the Chancellor deems appropriate.

Provide that, in the case of the layoff of faculty due to a budget or program decision regarding program discontinuance, curtailment, modification, or redirection, notification must be given at least 12 months in advance of the effective date. Specify that during this period, and prior to entering layoff status, the Chancellor may offer as appropriate, and the faculty member may accept: (a) terminal leave and early retirement; or (b) relocation leave accompanied by resignation. Specify that acceptance of either of these options would terminate the faculty member's association with the UW System at the end of the leave period.

Provide that the faculty of each institution would establish a committee or designate an existing committee to serve as a hearing committee. Specify that the committee would consist of faculty members of the institution chosen by the faculty in a manner to be determined by the faculty. Provide that, if the faculty of an institution is given due notice but does not establish or designate a committee to serve as a hearing committee, the Chancellor may appoint a committee of faculty members to provide this function. Specify that this standing faculty committee would conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence, and transmit the record and summary along with its recommended findings of law and decision to the Board of Regents.

Provide that a faculty member who has been notified of layoff is entitled to a hearing before the faculty hearing committee as to the appropriateness of the decision to layoff that particular individual. Specify the budget or program decisions made to discontinue, curtail, modify, or redirect a program would not be subject to review in the hearing. Specify that the hearing must be requested within 20 days of the receipt by the faculty member of notification of layoff. Provide that the request would state with particularity the grounds to be relied upon in establishing the impropriety of the decision. Provide that relevant information supplementary to that contained in the notification statement may be requested.

Specify that the question to be considered in the review is whether one or more of the following improper factors entered into the decision to lay off: (a) conduct, expressions, or beliefs on the faculty member's part that are constitutionally protected, or protected by the principles of academic freedom; (b) factors proscribed by applicable state or federal law regarding fair employment practices; or (c) improper selection of the individual to be laid off. Provide that "improper selection" has occurred if material prejudice resulted from any of the following: (a) the procedures required by the Board were not followed; (b) available data bearing materially on the role of the faculty member in the institution were not considered; (c) unfounded or arbitrary assumptions of fact were made; or (d) immaterial or improper factors other than those specified above entered into the decision. Specify that the committee would determine whether one or more of these improper factors entered significantly into and affected the layoff decision on the basis of the evidence presented. Provide that if the committee believes that one or more improper factors may have entered into the layoff decision but is convinced that the same decision would have been reached had the error or errors not occurred, the committee would find the decision to have been proper. Specify that the committee would report its findings and recommendations to the Chancellor and the faculty member.

Provide that, if the faculty hearing committee requests, the Chancellor would provide legal counsel to the committee for a hearing to review a layoff decision. Specify that the hearing

would be closed unless the faculty member who has been notified of layoff requests an open hearing, in which case the hearing would be open. Provide that the faculty hearing committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. Specify that if one or more of the faculty hearing committee members disqualifies him or herself or is disqualified, the remaining members of the committee could select a number of other members of the faculty equal to the number who have been disqualified to serve. Specify that alternative methods of replacing hearing committee members who have been disqualified may be specified in the rules and procedures adopted by the faculty in establishing the hearing committee. Provide that a faculty member who participated in the decision to layoff or who is a material witness could not sit in on the faculty hearing committee.

Specify that the faculty member who has been notified of layoff would be given at least 10 days notice of the hearing. Provide that the hearing would not be held later than 20 days after the hearing is requested except that this time limit may be extended by mutual consent of the parties or by order of the faculty hearing committee. Provide that the faculty member would have access to the evidence on which the administration intends to rely to support the decision to layoff and would be guaranteed all of the following minimal safeguards at the hearing: (a) a right to be heard on his or her own behalf; (b) a right to counsel or other representatives or both, and to offer witnesses; (c) a right to confront and cross-examine adverse witnesses; (d) a verbatim record of the hearing, which may be a sound recording, provided at no cost; (e) written findings of fact and decision based on the hearing record; and (f) admissibility of evidence as described in s. 227.45 (1) to (4), Wisconsin Statutes. Provide that adjournments would be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

Specify that the layoff decision of the Chancellor and the recommendations, if any, of the faculty hearing committee, would be transmitted to the UW System President and to the Board of Regents. Provide that, if the faculty member has not requested a hearing before the faculty hearing committee, the Chancellor's decision would be deemed proper and would be reported for information to the UW System President and the Board. Provide that, if the faculty member has requested a hearing and the faculty hearing committee has found the decision to be proper, the report of the faculty hearing committee would be forwarded to the UW System President and the Board of Regents by the Chancellor with a recommendation. Specify that the faculty member may request a review by the Board and that the Board review panel may at its option grant a review. Provide that, if the Board review panel does not grant the request for review, the recommended findings of fact and decision of the faculty committee would be the final decision of the Board.

Provide that, if the faculty member has requested a hearing and the faculty hearing committee has found the decision to be improper, the Chancellor would review the matter and give careful consideration to the committee's finding. Specify that, if the Chancellor accepts the committee's findings, the Chancellor's decision would be final. Provide that, if the Chancellor contests the recommended findings that the decision was improper, the verbatim record, a summary of the evidence, and the recommended findings of law and decision would be forwarded to the Board review panel. Specify that the Chancellor and the faculty member would be furnished with copies of this material and would have a reasonable opportunity to file written exceptions to the summary and proposed findings and decision and to argue with respect to them

orally and in writing before the Board review panel. Provide that the Board review panel would hear and decide the case and the decision of the Board review panel would be final.

Provide that the Board review panel would be appointed by the President of the Board of Regents and would include three members of the Board and two nonvoting staff members from the UW System Office of Academic Affairs. Specify that the panel would review the criteria and reasoning of the Chancellor and the findings and recommendations of the faculty hearing committee in each case forwarded for its review, and would reach a decision on the recommendation to be approved. Provide that the decision of the Board review panel would be final and binding upon the Chancellor and the faculty member affected. Specify that one or more of the members of the Board serving on the Board review panel could request that the decision be reviewed by the full Board in which case the record would be reviewed, and a decision would be reached, by the full Board.

Provide that a faculty member who is laid off would retain the rights described in this and the following five paragraphs. Provide that a faculty member whose position has been eliminated or reduced in accordance with the above provisions would, at the end of the appropriate notice period, be placed on layoff status, unless the layoff notice were to be rescinded prior to that time. Specify that a faculty member who is placed on layoff status would remain on layoff status until any of the following occurs: (a) the period of the faculty member's appointment expires under its own terms; (b) the faculty member is reappointed to the position from which he or she was laid off; (c) the faculty member accepts an alternative continuing position in the UW System; (d) the faculty member resigns; or (e) the faculty member fails to notify the Chancellor by December 1 of each year that the faculty member is on layoff as to his or her location, employment status, and desire to remain on layoff status. Specify that failure to accept a reappointment under (b) or failure to provide notice of the desire to remain on layoff status under (e) would terminate the faculty member's association with the UW System. Specify that failure to accept an alternative appointment under (c) would not terminate the faculty member's association with the UW System.

Provide that each institution would devote its best efforts to securing alternative appointments within the institution in positions for which the faculty laid off under the above provisions are qualified under existing criteria. Specify that the UW System would provide financial assistance for one year for faculty who are designated for layoff to readapt within the department or within another department of the institution, where readaptation is feasible. In addition, specify that the UW System would devote its best efforts to ensure that faculty members laid off or terminated at any institution are made aware of openings within the UW System.

Provide that a faculty member who is terminated would retain the rights described in the following two paragraphs. Provide that each institution would establish administrative procedures and policies regarding the employment of persons to perform reasonably comparable duties to those of a faculty member who has been laid off or terminated under the above provisions within three years of the layoff or termination. Specify that, if the institution were to employ a person to perform such duties, these policies and procedures would require the institution to first offer the laid off or terminated faculty member reappointment without loss of

seniority or other rights. Specify that the three-year period would be computed from the effective date of layoff as specified in the original notice.

Provide that any faculty member who is reappointed within three years after layoff or termination would be reappointed with a rank and salary at least equivalent to the rank and salary of the faculty member when the faculty member was laid off or terminated. Specify that such a faculty member would be reappointed with such other rights and privileges that may have accrued at that time. Provide that any faculty member who is relocated within an institution or within the UW System would not have either his or her rank or salary adversely affected except by consent at the time of relocation.

Provide that, in addition to rights related to reappointment described above, a faculty member on layoff status under the above provisions would have all of the following minimal rights: (a) the right to participate in fringe benefit programs as is allowed by state statutes and rules governing rights of laid off state employees; (b) the right of continued use of campus facilities as is allowed by policies and procedures established by the department and institution; and (c) the right to participate in departmental and institutional activities as is allowed by guidelines established by the department and institution.

Provide that the commitment to systemwide tenure within UW institutions that were formerly state universities would be honored by those institutions for faculty members who held tenure appointments at the time of the merger of the University of Wisconsin and the Wisconsin State Universities and for faculty members who held probationary appointments at the time of the merger and were subsequently granted tenure.

Veto by Governor [B-28]: Delete the provision that would have prohibited the Board of Regents from appointing an academic staff member to a probationary or indefinite term academic staff appointment beginning on July 1, 2015. Delete the provision that would have specified that any academic staff member who held a probationary appointment on June 30, 2015, would hold a fixed term appointment effective July 1, 2015. Delete the provision that would have specified that the policies for indefinite appointments made before July 1, 2015, would provide for permanent status and such other conditions of appointment as established by the Board.

As vetoed, the Board of Regents has the authority to appoint academic staff members to probationary and indefinite term academic staff appointments, as under prior law.

[Act 55 Sections: 1211, 1214g, and 1214r]

[Act 55 Vetoed Section: 1210m]

28. COLLECTIVE BARGAINING FOR CERTAIN EMPLOYEES

Governor: Provide that the UW System Authority would be subject to the municipal employment relations law, instead of the state employment labor relations law as under current law, and delete all references to the UW System and UW System and UW-Madison employees

under the state employment labor relations law. Provide that the Board of Regents would be required to adopt a resolution if the UW System Authority wishes to increase the total base wages of UW employees who are part of a collective bargaining unit by a percentage amount that exceeds the percentage increase in the consumer price index. Provide that this resolution would not take effect unless it is approved in a referendum.

Specify that the rights of municipal employees would not extend to academic staff, faculty, and police officers employed by the UW System Authority. These rights include the right to self-organization; to form, join, or assist labor organizations; to bargain collectively through representatives of their own choosing; and to engage in lawful, concerted activities for the purpose of collectively bargaining or other mutual aid or protection. Under current law, UW System faculty and academic staff do not have the right to collectively bargain.

Joint Finance/Legislature: Delete provision. UW employees continue to be subject to state employment labor relations law.

In addition, provide that the Board of Regents establish and maintain consistent employment relations policies and practices for all UW System employees except UW System employees assigned to UW-Madison. Provide that the UW-Madison Chancellor establish and maintain consistent employment relations policies and practices for all UW System employees assigned to UW-Madison. Modify current law to specify that the administrator of the Division of Personnel Management in the Department of Administration establish and maintain, wherever practicable, consistent employment relations policies and practices throughout the state service except with respect to UW System employees.

[Act 55 Sections: 1207m and 3152]

29. CODE OF ETHICS

Governor: Provide that the president and members of the Board of Regents, the UW System president, vice presidents, associate and assistant vice presidents, and the chancellors and vice chancellors of all UW System institutions would continue to be required to file statements of economic interests with the Government Accountability Board as under current law. Individuals holding these positions would also continue to be required to conform to the standards of conduct for public officials.

In addition, provide that the Board of Regents would be required to establish a code of ethics for UW System personnel other than those listed above, as under current law. In contrast to current law, UW System personnel who are not considered public officials would be exempt from potential fines and imprisonment for intentionally violating the code of ethics adopted by the Board of Regents under the bill.

Joint Finance/Legislature: Delete provision.

30. CIVIL LIABILITY OF UW EMPLOYEES

Governor: Limit the amount recoverable by any person or entity for any damages,

injuries, or death in any civil action or civil proceedings against an officer or employee of the UW System Authority to \$250,000. Specify that no punitive damages may be allowed or recoverable in any such action.

Provide that the UW System Authority would pay the amount of any judgment or costs against an officer or employee of the UW System Authority in excess of any applicable insurance. This provision would apply if the following conditions are met: (a) the defendant in any action or special proceeding is an officer or employee of the UW System Authority; (b) the defendant is proceeded against in an official capacity or due to acts committed while carrying out duties as an officer or employee of the UW System Authority; and (c) the jury or court finds that the defendant was acting within the scope of employment. Specify that these provisions, except the \$250,000 limit, would not apply to an action or proceeding by the state against an officer or employee of the UW System Authority.

In addition, provide that the UW System Authority would not be treated as a political corporation for the purpose of current law regarding claims against governmental bodies, officers, and employees.

Joint Finance/Legislature: Delete provision.

31. SABBATICAL LEAVE

Governor: Delete provisions authorizing the Board of Regents to grant sabbatical leave to instructional faculty. Under current law, the Board may grant sabbatical leave of up to one year to faculty members who have completed six or more years of full-time instructional service. Current law limits sabbatical leave to one leave for each six years of full-time instructional service.

Provide that the Board of Regents would determine which members of the faculty are on sabbatical for the purpose of contributions to the Wisconsin Retirement System.

Joint Finance/Legislature: Delete provision.

32. LIMITS ON DUAL EMPLOYMENT

Governor: Provide that the UW System Authority would be subject to current law limits regarding dual employment. Under current law, an individual who is employed in a full-time position is prohibited from holding any other position with a state agency or authority created by state law for which the individual receives more than \$12,000 in compensation in a year. This provision does not apply to additional compensation received by UW System employees from the UW System for work performed in addition to their regular duties.

Joint Finance/Legislature: Delete provision.

33. UW EMPLOYEES NOT COVERED BY STATE WHISTLEBLOWER LAW

Governor: Provide that UW System Authority employees would not be covered by a current law provision allowing a state employee to bring an action in circuit court against his or her employer if the employer retaliates against the employee for lawfully disclosing information that demonstrates one of the following: (a) a violation of any state or federal law, rule, or regulation; and (b) mismanagement or abuse of authority in state government, a substantial waste of public funds, or a danger to public health and safety.

Joint Finance/Legislature: Delete provision.

34. SERVICE BY EMPLOYEES AS ELECTION OFFICIALS

Governor: Require the UW System Authority to permit each of its employees to serve as an election official without loss of fringe benefits or seniority privileges earned for scheduled working hours during election days, without loss of pay for scheduled working hours during election days, and without any other penalty. Provide that any amount of compensation an employee receives for serving as an election official while on such paid leave should be deducted from his or her salary and authorize the UW System Authority to make such deductions. Under current law these provisions apply to all state agencies including the UW System.

Joint Finance/Legislature: Delete provision.

35. FREQUENCY OF PAYMENT OF EMPLOYEES

Governor: Specify that a current law provision requiring that employers pay every employee at least monthly would not apply to UW System Authority employees. Under current law this provision does not apply to UW System unclassified employees.

Joint Finance/Legislature: Delete provision.

36. ABILITY TO HOLD, SELL, AND LEASE PROPERTY

Governor: Provide that, subject to its lease agreement with the state, the Board may purchase, have custody of, hold, control, possess, lease, grant easements and enjoy any lands, buildings, books, records, and all other property of any nature which may be necessary and required for the purposes, objects, and uses of the UW System authorized by law. Provide that the Board may sell or dispose of any property owned by the UW System Authority when in its judgment it is for the best interest of the UW System and the state.

Delete current law requiring the Board to deposit a sufficient amount of the proceeds from the sale of property in the bond and security redemption fund to repay the outstanding principal and interest related to the property sold if there is outstanding debt related to that property. Delete provisions specifying that the net proceeds of the sale of property other than property received as a gift, financed with gifts, or financed with federal revenues, be deposited in the UW

System's program revenue appropriation for general program operations. This appropriation would be deleted under the bill.

Joint Finance/Legislature: Delete provision.

37. AUTHORITY TO ISSUE BONDS

Governor: Provide that the UW System Authority could issue bonds for any corporate purpose. Specify that all bonds would be negotiable for all purposes, notwithstanding their payment from a limited source. Specify that all bonds issued by the Authority would be payable solely from the funds pledged for their payment in accordance with the bond resolution authorizing their issuance or in any trust indenture or mortgage or deed of trust executed as security for the bonds.

Specify that bonds issued by the Authority would not be debt of the state and that the state would not be liable for such bonds. Require that all bonds issued by the Authority would contain a statement to this effect on their face. Provide that a bond issue would not obligate the state or a political subdivision to levy a tax or make any appropriation to pay the bonds. Specify that nothing in these disclaimers would prevent the Authority from pledging its full faith and credit to the payment of these bonds.

Provide that the state would pledge not to limit or alter the rights vested in the Authority before the Authority has fully met and discharged the bonds, and any interest due on the bonds, and has fully performed its contracts, unless adequate provision is made by law for the protection of the bondholders or those entering into contracts with the Authority.

Provide that the following entities may invest in bonds issued by the UW System Authority: counties, cities, villages, town school districts, drainage districts, technical college districts, or other governing boards; the Board of Commissioners of Public Lands; the State of Wisconsin Investment Board; banks, trust companies, savings banks or institutions, savings and loan associations, credit unions or investment companies, or personal representatives, guardians, trustees, or other fiduciaries.

Joint Finance/Legislature: Delete provision.

38. OVERSIGHT BY THE STATE BUILDING COMMISSION [LFB Paper 682]

Governor: Provide that only UW System Authority building projects that are financed with general purpose revenues would require prior approval by the Building Commission. Provide that the Building Commission's biennial recommendations regarding the long-range state building program would include building projects proposed by the UW System Authority. Delete the requirement that the Board establish a process for the submission of building projects to the Building Commission for approval and delete language prohibiting the Board from submitting projects to the Building Commission for approval unless those projects have been developed and approved by the Board using that process.

Provide that the sale or lease of state-owned residence halls for the purpose of alternate use

to another state agency or nonstate, nonprofit agency by the Board of Regents would require the approval of the Building Commission as under current law.

Delete current law prohibiting the Board of Regents from accepting any gift, grant, or bequest of real property with a value of more than \$150,000, or any gift, grant, or bequest of a building or structure that is constructed for the benefit of the UW System or any UW institution, without prior approval by the Building Commission. Delete provisions specifying that all purchases of real property by the Board of Regents are subject to approval by the Building Commission.

Delete language prohibiting the Board from permitting a facility that would be privately owned or operated to be constructed on state-owned land without prior approval of the Building Commission. Under the terms of the lease between the state and the UW System Authority, the Board of Regents would be required to obtain approval from the Building Commission for any construction or renovation project involving a state-owned facility or occurring on state-owned land if the cost of the project is at least \$760,000 regardless of fund source.

Delete current law prohibiting the Board of Regents from designating any part of a state building project that requires approval by the Building Commission as a separate building project.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board establish a process for the submission of building projects to the Building Commission for approval and to delete prior law prohibiting the Board from submitting projects to the Building Commission for approval unless those projects have been developed and approved by the Board using that process.

Otherwise, maintain Building Commission oversight of the UW System, except as provided in items in the previous section regarding gift and grant funded building projects and energy conservation projects funded through the state's master lease program.

[Act 55 Section: 1176]

39. DOA INVOLVEMENT IN UW SYSTEM AUTHORITY BUILDING PROJECTS AND LEASES [LFB Paper 682]

Governor: Provide that the Department of Administration (DOA) would do all of the following but only with regard to UW System Authority building projects that are financed, in whole or in part, with state GPR: (a) review and approve plans and specifications; (b) periodically review progress; and (c) take charge of and supervise all engineering and architectural services. DOA would not do (a) through (c) for UW System Authority building projects that are financed entirely with funds other than state GPR. In addition, DOA would not approve the appointment of a principal engineer or architect for any UW System Authority projects, including those funded with state GPR, and would not furnish engineering, architectural, project management, and other building construction services to UW System Authority projects.

Provide that DOA would conduct the bidding process for UW System Authority building

projects if the cost of the project is more than \$760,000 and the project is not funded entirely with gifts and grants. Specify that if DOA conducts the bidding process for a UW System Authority project, it would do so at no cost to the Authority.

Delete language requiring the Board to prescribe bidding procedures to be used for building projects for which DOA does not conduct the bidding process. Under current law, the Board is required to submit its proposed bidding procedures to the Building Commission and the Joint Committee on Finance for review and approval and both the Building Commission and the Joint Finance Committee have approved the Board's bidding procedures.

Delete language making the DOA responsible for UW System leases and delete the exemption from DOA bidding for construction work performed by UW System students that is part of a curriculum and where the work is course-related for the students involved.

Joint Finance/Legislature: Delete the provisions related to DOA involvement in, and bidding of, UW System Authority building projects. DOA continues to have all of the duties related to UW System building projects as it did under prior law, except as provided in the items in the previous section regarding gift and grant funded building projects and energy conservation projects funded through the state's master lease program.

Approve the Governor's recommendation to delete the requirement that the Board prescribe bidding procedures to be used for building projects for which DOA does not conduct the bidding process. In addition, modify prior law to specify that DOA has responsibility for leases of real property to be occupied by the Board only with regard to property to be used as student housing. Specify that leases of property used as student housing that are in effect on the effective date of the act are the responsibility of the Board regardless of any subsequent extension, modification, or renewal. Provide that all leases of real property to be occupied by the Board for use other than for student housing are the responsibility of the Board. Restore the exemption from DOA bidding for construction work performed by UW System students that is part of a curriculum and where the work is course-related for the students involved.

In addition, provide that DOA would assess the UW System for services provided related to a building project that is funded entirely by program revenues or program revenue supported borrowing on a fee-for-service basis. Specify that the total amount of fees assessed by DOA related to such a project could not exceed four percent of the total cost of the project. Specify that these modifications relating to DOA fees would first apply to services provided on the bill's effective date.

Veto by Governor [B-22]: Delete the provision that would have required DOA to assess the UW System on a fee-for-service basis for services provided related to building projects funded entirely by program revenues or program revenue supported borrowing and would have limited the total amount of those assessments to not more than four percent of the total cost of the project.

[Act 55 Sections: 1146m, 1199, and 3578]

[Act 55 Vetoed Sections: 365m and 9301(3f)]

40. DELETE ELIGIBILITY FOR DOA ENERGY CONSERVATION PROJECTS

Governor: Provide that the UW System Authority would not be eligible to receive funding for energy conservation projects from the Department of Administration. Under current law, the UW System may receive funding for such projects due to its status as a state agency.

Joint Finance/Legislature: Delete provision.

41. AGREEMENTS WITH UW HOSPITALS AND CLINICS AUTHORITY

Governor: Require that the Board of Regents carry out its obligations under the lease and affiliation agreements with the UW Hospitals and Clinics Authority that are currently in effect. Specify that, except for the lease between the UW System Authority and the state, any lease by the Board would be subject to the powers of the UW Hospitals and Clinics Authority under current law to construct and improve facilities on state-owned land and the rights of the UW Hospital and Clinics Authority under the lease agreement with the Board. Specify that any modification, extension, or renewal of the lease or affiliation agreement would require approval of the Joint Committee on Finance, as under current law. In the case that JFC does not approve an extension or renewal of either of the agreements, the on-campus facilities and any improvements, modifications, or other facilities would transfer to the Board of Regents, as under current law.

Joint Finance/Legislature: Delete provision.

42. COMPLIANCE OF BUILDING PROJECTS WITH STATE CODE, EXEMPTION FROM MUNICIPAL ORDINANCES AND REGULATIONS

Governor: Require that every building, structure, or facility constructed for the benefit or use of the UW System Authority be in compliance with all applicable state laws, rules, codes, and regulations. Specify that such construction would be exempt from the ordinances or regulations of the municipality in which it takes place except zoning. As a state agency, the UW System is subject to this requirement and exemption under current law.

Joint Finance/Legislature: Delete provision.

43. INVENTORY OF REAL PROPERTY

Governor: Require the UW System Authority to submit to DOA by January 1 of each even-numbered year an inventory of all real property under its jurisdiction and to specifically identify any underutilized assets in the inventory as all state agencies, including the UW System, are required to do under current law. Consistent with current law, the UW System Authority would not be required to submit an estimated fair market value for each property.

Joint Finance/Legislature: Delete provision.

44. **PROCUREMENT AUTHORITY** [LFB Paper 683]

Governor: Provide that, for the purpose of procurement, the UW System Authority would be treated as a municipality instead of as a state agency as under current law. As a municipality, the UW System Authority would not be subject to state law regarding procurement by state agencies. Under the bill, DOA would be able to enter into cooperative purchasing agreements with the UW System Authority and the UW System Authority would be able to enter into purchasing agreements with other municipalities. DOA would also have the authority to assess the UW System Authority for any procurement services provided to the Authority.

Provide that the UW System Authority would also be exempt from the following provisions which apply to authorities other than the UW Hospitals and Clinics Authority and the Lower Fox River Remediation Authority under current law: (a) incorporate in purchasing specifications requirements for the purchase of products made from recycled or recovered materials if their use is technically and economically feasible; (b) incorporate in purchasing specifications requirements related to recyclability and ultimate disposition of products and, wherever possible, write the specifications so as to minimize the amount of solid waste generated; (c) award orders and contracts for materials, supplies, or equipment on the basis of life cycle costs estimates; (d) make purchasing selections to maximize the purchase of materials utilizing recycled and recovered materials; and (e) ensure that the average recycled or recovered content of all paper purchased, as a proportion, by weight, is not less than 40% of all purchased paper.

Provide that, as an authority, the UW System Authority would be required to do the following: (a) purchase energy consuming equipment costing more than \$5,000 per unit and of a type for which DOA has prescribed applicable standards only if the specifications meet the applicable standards or, if such equipment is not reasonably available, ensure that the equipment purchased maximizes energy efficiency to the extent technically and economically feasible; and (b) not enter into any contract or order for the purchase of materials, supplies, equipment, or contractual services with a person who the Secretary of the Department of Revenue certifies as not collecting and remitting sales and use taxes.

Provide that all contracts executed by the UW System Authority would include a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation, or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities. Provide that the UW System Authority would be primarily responsible for obtaining compliance by contractors with the nondiscrimination and affirmative action provisions required by law and that DOA may delegate to the UW System Authority the responsibility to investigate alleged violations of these provisions. If the UW System Authority determines that there has been a violation of the nondiscrimination and affirmative action provisions, the UW System Authority would do all of the following: (a) immediately inform the violating party of the violation; (b) direct the violating party to take action necessary to halt the violation; (c) direct the violating party to take action necessary to correct, if possible, any injustice to any person adversely affected by the violation; and (d) direct the violating party to take immediate steps to prevent further violations and to

report its corrective actions.

Under current law, contracting agencies, the UW Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin Economic Development Corporation, and the Bradley Center Sports and Entertainment Corporation are required to include nondiscrimination and affirmative action provisions as described above in all contracts, are primarily responsible for obtaining compliance by contractors with those provisions, and, in the case of the violation of those provisions, are required to do (a) through (d) as described above.

Joint Finance/Legislature: Delete provision. Instead, provide that the Board would develop policies related to procurement and specify that these policies would not be promulgated as rules. Provide that the Board of Regents would submit its procurement policies to the Joint Finance Committee and that the Joint Finance Committee would submit its approval of the policies to the Legislative Reference Bureau (LRB). Provide that, upon receipt of the approval, LRB would publish a notice in the Wisconsin Administrative Register that states the date on which the approval was submitted. Beginning on that date, current law related to purchasing by state agencies would not apply to the UW System and the Board of Regents would be authorized to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services for the UW System. Provide that on that date DOA or its agents could enter into an agreement with the UW System under which either of the parties may agree to participate in, administer, or conduct purchasing transactions under a contract for the purchase of materials, supplies, equipment, permanent personal property, miscellaneous capital, or contractual services.

Veto by Governor [B-24]: Delete the provision that would have authorized the Board of Regents to develop policies related to procurement and specified that those policies would not be promulgated as rules. Delete the provision that the Board of Regents would submit its procurement policies to the Joint Finance Committee (JFC) and that JFC would submit its approval to the LRB. Delete the provision that would have required LRB to publish a notice in the Wisconsin Administrative Register that states the date on which the approval was submitted. Delete the provision that would have made the UW System exempt from current law related to purchasing by state agencies and authorized the Board of Regents to purchase all necessary materials, supplies, equipment, all other permanent property and miscellaneous capital, and contractual services for the UW System beginning on the date that JFC approves the Regents' procurement policies.

The Governor did not veto a related provision that deleted a prior law exemption for the UW System from the requirement that agencies conduct a uniform cost benefit analysis of each proposed contractual service procurement involving an estimated expenditure of more than \$50,000 and periodically review the continued appropriateness of contracting for such services. As passed by the Legislature, this exemption would have been deleted to reflect that the UW System would no longer be treated as a state agency for the purpose of procurement after the Board of Regents' procurement policies were approved by the JFC.

As vetoed, the UW System continues to be subject to current law related to purchasing by state agencies. In addition, the UW System is required to conduct a uniform cost benefit analysis

of each proposed contractual service procurement involving an estimated expenditure of more than \$50,000 and to periodically review the continued appropriateness of contracting for such services.

[Act 55 Sections: 323b, 332b, and 1181m]

[Act 55 Vetoed Sections: 316p, 321, 322, 327d, 328, 355s, 1204m, 3578p, 9148(2d), and 9448(2d)]

45. TRAVEL POLICIES

Governor: Delete a current law provision exempting UW officers and employees from DOA travel policies. As an authority, the UW System Authority would not be subject to DOA travel policies.

Joint Finance/Legislature: Delete provision.

46. PARTICIPATION IN RISK MANAGEMENT PROGRAMS

Governor: Provide that UW System Authority could participate in the risk management programs coordinated by DOA, except that DOA would not be required to arrange for worker's compensation insurance for the UW System Authority. Specify that if the UW System Authority would elect not to participate in the risk management programs coordinated by DOA in any fiscal year, it would have to provide written notification to DOA by July 1 of the preceding fiscal year and that nonelection would have to be approved by DOA. If approved, the UW System would not participate in the risk management programs coordinated by DOA in subsequent years unless it provides written notice to DOA by July 1 of the preceding fiscal year that it elects to participate in those programs and DOA approves that election. Authorize the Board to procure insurance against loss in connection with the Authority's property and other assets and add "agents" to the list of persons for whom the Board of Regents may procure liability insurance coverage.

Delete a current law provision prohibiting the Board of Regents from using GPR to pay for insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics.

Joint Finance/Legislature: Delete the provision related to participation by the UW System Authority in the risk management programs coordinated by DOA. The UW System, as a state agency, continues to participate in these programs.

Approve the Governor's recommendation to delete a prior law provision that prohibited the Board of Regents from using GPR to pay for insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics. In addition, approve the Governor's recommendation to add "agents" to the list of persons for whom the Board of Regents may procure liability insurance.

[Act 55 Sections: 1155 and 1156]

47. EXEMPT UW SYSTEM AUTHORITY FROM STATE PRINTING LAW

Governor: Provide that the UW System Authority would not be subject to state law related to state printing contracts. Under current law, the Department of Administration is, in general, responsible for printing UW System materials except for printing published by UW System students that is funded solely from student fees or student organization income and printing jobs costing less than \$50.

Joint Finance/Legislature: Modify the Governor's recommendation to exempt the UW System as a state agency, rather than as a public authority, from state law related to printing contracts.

[Act 55 Sections: 343, 344, and 1102 thru 1104m]

48. OVERSIGHT OF INFORMATION TECHNOLOGY (IT) PROJECTS

Governor: Modify the current law requirement that the Board of Regents submit a report regarding IT projects within the UW System to the Joint Committee on Information Policy and Technology (JCIPT) annually by March 1 and September 1 to specify that the report should only include information regarding IT projects that are funded, in whole or in part, with GPR and that have actual or projected costs of greater than \$1,000,000. Under current law the Regents are required to report on all IT projects that have actual or projects costs of greater than \$1,000,000 or that have been identified by the Board as being large, high-risk IT projects regardless of the source of funds for the project.

Delete the authority of JCIPT to review UW System IT projects identified in the report described above to determine whether the project should be continued or implemented and delete the authority of JCIPT to forward recommendations regarding such projects to the Governor and Legislature. In addition, delete the authority of JCIPT to direct the Board of Regents to prepare and submit additional reports to that committee.

Delete the requirement that the UW System, each UW institution, and each UW Colleges campus submit annually to the Board of Regents a strategic plan for the utilization of information technology. Delete the requirement that the Board of Regents consult with the JCIPT in providing guidance for planning by the UW System, UW institutions, and UW Colleges campuses. Delete the requirement that the Board of Regents develop and adopt written policies for IT development projects that either exceed \$1,000,000 or that are vital to the functions of the UW System, UW institutions, and UW Colleges campuses.

Delete the requirement that the Board of Regents submit an annual report to the Governor and JCIPT documenting the use by the UW System, each UW institution, and each UW Colleges campus of master leases to fund IT projects in the previous fiscal year.

Delete the requirement that the Board of Regents, the UW System, each UW institution, and each UW Colleges campus include in each contract with an IT vendor that involves a large, high-risk IT project or that has a projected cost of greater than \$1,000,000 a stipulation requiring the vendor to submit to the Board for approval any order or amendment that would change the

scope of the contract and have the effect of increasing the contract price.

Delete the requirement that the UW System, each UW institution, and each UW Colleges campus that has entered into an open-ended contract for the development of IT to submit to the Board quarterly reports documenting the amount expended on the IT development project. Delete the requirement that these quarterly reports be compiled and submitted annually to JCIPT.

Delete the requirement that the Board of Regents promulgate all of the following: (a) a definition of and methodology for identifying large, high-risk information technology projects; (b) standardized, quantifiable project performance measures for evaluating large, high-risk information technology projects; (c) policies and procedures for routine monitoring of large, high-risk IT projects; (d) a formal process for modifying IT project specifications when necessary to address changes in program requirements; (e) requirements for reporting changes in estimates of cost or completion date to the Board of Regents and JCIPT; (f) methods for discontinuing projects and modifying projects that are failing to meet performance measures in such a way to correct performance problems; (g) policies and procedures for the use of master leases to finance new, large, high-risk IT system costs and maintain current large, high-risk IT system; (h) a standardized progress point in the execution of large, high-risk IT projects at which time the estimated costs and date of completion of the project is reported to the Board and JCIPT; (i) a requirement that the UW System, each UW institution, and each UW Colleges campus review commercially available IT products prior to initiating work on a customized IT development project to determine whether any commercially available product could meet the IT needs of the UW System, UW institution, or UW Colleges campus; (j) procedures and criteria to determine when a commercially available IT product must be used and when the UW System, UW institution, or UW Colleges campus may consider the modification or create of a customized IT product; and (k) a requirement that the UW System, each UW institution, and each UW Colleges campus submit for approval by the Board prior to initiating work on a customized IT product a justification for the modification or creation by the UW System, UW institution, or UW Colleges campus of a customized IT product.

Delete language excluding the Board of Regents from DOA oversight of IT and telecommunications and assessments for these services. As an authority, the UW System would continue to be exempt from DOA oversight and assessments in these areas.

In addition, delete the requirement that the Board of Regents collect and maintain data necessary to calculate numerical measures of the efficiency and effectiveness of the mainframe computer services provided by the Board at UW-Madison.

Joint Finance/Legislature: Delete provision.

49. ACCESS BY THE LEGISLATIVE FISCAL BUREAU

Governor: Provide that the Legislative Fiscal Bureau would have access to the UW System Authority at all times, with or without notice, and to any books, records, or other documents related to expenditures, revenues, operations, and structure maintained by the UW System Authority. Under current law the Fiscal Bureau has this access to the UW System due to

its status as a state agency.

Joint Finance/Legislature: Delete provision. The Legislative Fiscal Bureau would continue to have access to the UW System due to its status as a state agency.

50. ACCESS AND AUDITS BY THE LEGISLATIVE AUDIT BUREAU

Governor: Provide that the UW System Authority would be considered a state department for the purpose of access and audits by the Legislative Audit Bureau. Under current law, the Audit Bureau has access to the UW System due to its status as a state agency. Specify that the Audit Bureau may review the procedures by which the UW System makes decisions and sets priorities or the manner in which such decisions and priorities are implemented within the UW System to the extent that such review is not inconsistent with the powers and duties of the UW System Authority Board of Regents. Under the bill, the Legislative Audit Bureau would continue to conduct the annual financial audit of the UW System Authority that it conducts under current law.

Joint Finance/Legislature: Delete provision. The Legislative Audit Bureau would continue to have access to the UW System due to its status as a state agency.

Specify that the Legislative Audit Bureau (LAB) would not conduct a financial audit of the UW System for the 2015-16 and 2016-17 fiscal years as would otherwise be required under current law. Instead, provide that the Board of Regents would contract with an independent accounting firm licensed by the accounting examining board for the purposes of conducting an annual financial audit of the UW System for fiscal years 2015-16 and 2016-17. Specify that the accounting firm would report to the Board of Regents and would provide all of the following to the Board of Regents, the Governor, the Joint Legislative Audit Committee, and the Joint Finance Committee: (a) the audited financial statements; (b) performance improvement observations; and (c) a management letter complete with internal control deficiencies and audit differences. Provide that the independent accounting firm with which the Board of Regents contracts may use the LAB to assist in conducting the audit to the extent the work relied upon does not modify the audit opinion with the exception of accepting the prior year's unqualified opinion.

Veto by Governor [B-18]: Delete the provision that would have required the Board of Regents to contract with an independent accounting firm for the purposes of conducting an annual financial audit of the UW System in 2015-16 and 2016-17. Delete the provision that would have specified that LAB would not conduct a financial audit of the UW System in those years. As vetoed, the LAB will conduct a financial audit of the UW System in 2015-16 and 2016-17 and in future years.

[Act 55 Vetoed Section: 9148(7j)]

51. DOA ACCESS TO UW SYSTEM AUTHORITY FINANCIAL INFORMATION

Governor: Provide that the Secretary of the Department of Administration (DOA) and

DOA employees as designated by the DOA Secretary would have the authority to do the following: (a) enter the offices of the UW System Authority; (b) examine the books and accounts of the UW System Authority and any other matter that in the DOA Secretary's judgment should be examined; and (c) interrogate UW System Authority employees publicly or privately regarding the books, accounts, and matters examined. Provide that the UW System Authority would be required to cooperate with the DOA Secretary and comply with every request of the DOA Secretary related to his or her functions.

Require the UW System Authority to provide to the DOA Secretary all information relating to its financial transactions requested by the DOA Secretary and to render such assistance in connection with the preparation of the state budget report, the budget bill, and in auditing accounts as required by the DOA Secretary or Governor. Provide that the DOA Secretary and his or her employees would have free access to all financial accounts of the UW System Authority and that the UW System Authority would be required to assist the DOA Secretary in preparing estimates of receipts and expenditures for inclusion in the state budget report. Require the UW System Authority to furnish information concerning anticipated revenues and expenditures as required by the DOA Secretary for effective control of state finances.

Under current law, the DOA Secretary has all of the authorities listed above and the UW System has all of the duties listed above due to the UW System's status as a state agency.

Joint Finance/Legislature: Delete provision.

52. EXEMPT RESEARCH AND STUDIES FROM PUBLIC INSPECTION

Governor: Provide that any authority may withhold from public inspection information in a record that is produced or collected by or for the faculty or staff employed by the UW System Authority in the conduct of, or as the result of, study or research on a commercial, scientific, or technical subject, until that information is publicly disseminated or patented. This provision would apply whether the research was sponsored by the UW System Authority alone or in conjunction with an authority or a private person.

Under current law this information is subject to the state public records law.

Joint Finance/Legislature: Delete provision as non-fiscal policy.

53. TREATMENT OF THE AUTHORITY AS A STATE AGENCY IN CERTAIN AREAS

Governor: Provide that current law in the following areas that apply to the UW System due to its status as a state agency would also apply to the UW System Authority under the bill: (a) prohibition of political solicitation of UW officers or employees or in UW buildings; (b) cooperation with the Women's Council; (c) rules regarding the retention and maintenance of records; (d) oversight by the DOA's records management service and access to storage facilities

operated by that service; (e) DOA title to historically significant furnishings; (f) public use of facilities; (g) prohibition of the use of funds for the performance of abortion or to fund certain pregnancy programs; (h) state trail planning, coordination, and construction by the Department of Natural Resources; (i) applicability of the state storm water management plans and related local zoning ordinances; (j) release of ozone-depleting refrigerant; (k) prevailing wage rates and hours of labor; and (L) prohibition of well contamination or abandonment claims.

Joint Finance/Legislature: Delete provision.

54. EXEMPT UW SYSTEM AUTHORITY FROM CERTAIN LAWS, RULES, AND PROCEDURES

Governor: Provide that the following laws, rules, and procedures that apply to the UW System as a state agency would not apply to the UW System Authority: (a) current law regarding the payment of interest by state agencies when an agency does not pay the amount due on an order or contract within a certain period of time; (b) current law requiring agencies to notify the sender of an improperly completed invoice of the reason it was improperly completed within 10 working days; (c) rules promulgated by the DOA regarding the surveillance of employees by state agencies; and (d) procedures prescribed by the DOA Secretary for the operation and maintenance of petty cash accounts and the character of expenditures therein. Delete the current law provision specifying that certification by the proper officers of the UW System Board of Regents be in all cases evidence of the correctness of an account for the purpose of audits by the DOA Secretary of claims against the state. Under the bill, the UW System Authority would not be considered part of the state and therefore would not be subject to audits by the DOA Secretary.

In addition, specify that the UW System Authority would not be required to participate in DOA's resource recovery and recycling program and that DOA would not be required, as under current law, to encourage the UW System Authority to do the following: (a) store gasohol and alternative fuel in facilities maintained by the Authority for the storage of fuel and the refueling of vehicles; and (b) reduce the usage of petroleum-based gasoline and diesel in vehicles by certain percentages set by law. Under current law, state agencies and certain authorities are required to participate in DOA's resource and recycling program and DOA encourages state agencies to do (a) and (b) above.

Joint Finance/Legislature: Delete provision.

55. EXEMPTION OF CERTAIN UW DOCUMENTS FROM STATE DOCUMENT DISTRIBUTION REQUIREMENTS

Governor: Delete the exemption for state documents published exclusively for public sale by presses established by the UW System or the state historical society and state documents sold primarily on a subscription basis from the state document depository library distribution requirements. Under current law agencies must deliver three copies of each state document that is exempt from the state document depository library distribution to the Department of Public

Instruction's Division for Libraries and Technology. These copies include one copy each for the State Historical Society and the Legislative Reference Bureau. The definition of state document includes publications that are supported wholly or partly by funds appropriated by the state but does not include any publication of a state agency intended to be used solely for internal purposes or only between state agencies. Because the proposed UW System Authority would only be appropriated GPR funding from the state, documents published by UW System presses and other documents published by the UW System and sold primarily on a subscription basis that are funded with revenues other than state GPR would not be state documents and would not be subject to the state document depository library distribution requirements.

Joint Finance/Legislature: Modify current law to exempt all UW documents from the state document distribution requirements. In addition, restore the exemption for state documents published exclusively for public sale by presses established by the state historical society from the state document depository library distribution requirements.

[Act 55 Sections: 1105e thru 1105s]

56. RELATIONSHIP WITH SWIB

Governor: Provide that the State of Wisconsin Investment Board (SWIB) would not have control of the investment of moneys held in UW trust funds as under current law. Delete language authorizing SWIB to give advice and assistance as requested by the UW System Board of Regents related to the investment of UW trust funds; to assign, sell, convey, and deed to the Regents any investments made by SWIB as may be mutually agreeable; and to charge the Regents for the cost of any services provided.

Joint Finance/Legislature: Delete provision.

57. BOARD OF REGENTS APPROVAL OF COUNTY EXTENSION PROGRAMS

Governor: Provide that the establishment and maintenance of county extension programs by county boards and the provision of programming by county extension programs would be subject to the approval of the Board of Regents. Under current law, a county board may establish and maintain educational programs in cooperation with the University of Wisconsin without the approval of the Board of Regents. Similarly, the county committee on agriculture and extension education is responsible for formulating and executing the university extension program in cooperation with UW-Extension, but without the requirement for approval by the Board of Regents, under current law.

Joint Finance/Legislature: Delete provision.

58. PSYCHIATRIC INSTITUTE

Governor: Transfer all property used by the Wisconsin Psychiatric Institute, except real property used by the institution and property of the UW Hospitals and Clinics, from the Board of

Regents to the state. Specify that the Board of Regents would hold such property on behalf of the state for the use of the psychiatric research institute.

Under current law, all such property was transferred to the Board of Regents which holds it for use by the psychiatric research institute.

Joint Finance/Legislature: Delete provision.

59. RENEWABLE ENERGY GOAL WOULD NOT APPLY

Governor: Provide that renewable energy goals would not apply to the UW System Authority. Under current law, these goals apply to DOA, the Department of Corrections, the Department of Health Services, the Department of Public Instruction, the Department of Veterans Affairs, and the UW System. The most recent year for which a renewable energy goal was set was 2011.

Joint Finance/Legislature: Delete provision.

60. REVIEW OF RESEARCH CONTRACTS FOR CONFLICT OF INTEREST

Governor: Delete current law under Chapter 36 (University of Wisconsin System Authority) of the statutes that requires the Board of Regents to review research contracts submitted by the UW System to determine whether entering into the contract would constitute a violation of the state conflict of interest law. Current law requiring the Board to review such contracts for conflict of interest in another chapter of the statutes would be maintained except that the language would be modified to specify that a UW System employee or office responsible for evaluating and managing potential conflicts of interest would submit contracts for review by the Regents instead of the UW System as under current law.

Joint Finance/Legislature: Delete provision.

61. DEFINITIONS OF ACADEMIC STAFF, FACULTY, AND CHANCELLOR

Governor: Modify the current law definitions of academic staff, faculty, and chancellor. Specify that the definition of academic staff would no longer exclude faculty as under current law. Provide that the definition of faculty members would include academic staff members designated by the Board of Regents, instead of by the chancellor and faculty of the institution as under current law. Specify that the definition of chancellor would be the chief executive of an institution, as under current law, or a similar position designated by the Board.

In addition, delete the definitions of classified staff and instructional academic staff.

Joint Finance/Legislature: Delete provision.

62. APPOINTMENT TO THE PROFESSIONAL STANDARDS COUNCIL FOR TEACHERS

Governor: Provide that the Board of Regents, instead of the UW System President as under current law, would appoint a faculty member of a department or school of education in the UW System to serve on the Professional Standards Council for Teachers under the Department of Public Instruction.

Joint Finance/Legislature: Delete provision.

63. DELETE THE REQUIREMENT THAT THE REGENTS SUBMIT A LIST OF UNCLASSIFIED APPOINTMENTS TO THE SECRETARY OF STATE

Governor: Delete the requirement that the Board of Regents submit annually to the Secretary of State a list of all positions outside the classified service and above the clerical level which are filled by appointment. Under current law, this list includes the name of the incumbent, the date of his or her appointment, and the term of the appointment, if there is one, and excludes members of the faculty.

Joint Finance/Legislature: Delete provision.

64. CLARIFY LANGUAGE REGARDING STUDENTS CALLED INTO ACTIVE MILITARY DUTY

Governor: Adopt language included in 2005 Act 470 regarding the treatment of students who withdraw from school because they are called into state active duty or active service with the U.S. Armed Services. That language was also affected by 2005 Act 324 and the language contained in the two acts is inconsistent. Under 2005 Act 470, the Board of Regents is required to reenroll students who withdraw from school because they are called in state active duty or active service with the U.S. Armed Services beginning in the semester in which the student is discharged, demobilized, or deactivated from active duty or the next succeeding semester, whichever the student prefers, and is required to give the student the same priority in registering for courses that the student would have had if he or she had registered for courses at the beginning of the registration period. Under 2005 Act 324, the Board of Regents is required to reenroll such students in the semester following the student's discharge from active duty or the next succeeding semester, whichever the student prefers. Act 324 does not specify that such students be given the same priority in registering for courses that the student would have had if he or she had registered for courses at the beginning of the registration period.

Joint Finance/Legislature: Delete provision.

65. APPLICATION FOR ADMISSION OF HEARING OR VISUALLY IMPAIRED STUDENTS BY STATE SUPERINTENDENT

Governor: Provide that the State Superintendent of Public Instruction could apply to the

UW System Authority for admission to the UW System Authority of any pupil at the school for the Deaf and Hard of Hearing or the school for the Blind and Visually Impaired. Specify that the application shall be accompanied by the report of a physician appointed by the director of the Wisconsin Educational Service Program for the Deaf and Hard of Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired and should be in the same form as reports of other physicians for admission of patients to such hospital.

Under current law, the State Superintendent of Public Instruction can apply to the UW Hospitals and Clinics Authority for admission to the UW Hospitals and Clinics Authority of any pupil at the school for the Deaf and Hard of Hearing or the school for the Blind and Visually Impaired. Such an application must be accompanied by the report of a physician appointed by the director of the Wisconsin Educational Service Program for the Deaf and Hard of Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired and should be in the same form as reports of other physicians for admission of patients to such hospital.

Joint Finance/Legislature: Delete provision.

66. ACQUISITION AND SALE OF HOSPITALS

Governor: Provide that no person may engage in the acquisition of a hospital or system of hospitals owned by the UW System Authority unless the person has first received review and approval of an application concerning the acquisition from the Attorney General, the Office of the Commissioner of Insurance, and the Department of Health Services. Provide that, to be approved by the Attorney General, an application regarding the acquisition of a hospital or system of hospitals owned by the UW System Authority would have to include a provision allowing the UW System Authority to retain the right of first refusal to repurchase the assets if the hospital is subsequently sold to, acquired by, or merged with another entity. Provide that the acquisition by the UW System Authority of a hospital or system of hospitals owned by a nonprofit corporation would be exempt from review and approval by the Attorney General, the Office of the Commissioner of Insurance, and the Department of Health Services.

Joint Finance/Legislature: Delete provision.

67. TRANSFER OF INFORMATION TO INSURERS

Governor: Provide that UW System Authority facilities would be treated as medical care institutions for the purpose of statutes governing the transfer of personal medical information to insurers.

Joint Finance/Legislature: Delete provision.

Delete Current Law Related to the UW System

The Governor's bill would have deleted a number of current law provisions that require or permit the Board of Regents to take a specific action or specific actions. These proposed deletions are described in the following section. When the Joint Committee on Finance took action on the portion of the Governor's budget that relates to the UW System, the Committee deleted the Governor's proposal to convert the UW System to a public authority and most of the provisions described. As a result, the Committee and Legislature restored current law related to the UW System in most areas. Areas in which the Committee and Legislature approved the deletions proposed by the Governor or otherwise modified current law are identified below.

1. SHARED GOVERNANCE

Governor: Delete language establishing the responsibilities of the UW System President, the chancellors, faculty, academic staff, and students, and the roles of the faculty, academic staff, and students in the governance of each institution.

Joint Finance/Legislature: Delete the Governor's provision and, instead, modify current law to specify that the faculty of each institution would have the primary responsibility for advising the Chancellor regarding academic and educational activities and faculty personnel matters subject to the responsibilities and powers of the Board, President, and Chancellor. In addition, modify current law to require that the faculty of each institution ensure that faculty in academic disciplines related to science, technology, engineering, and mathematics are adequately represented in the faculty organizational structure.

Modify current law to specify that the academic staff of each institution would have the primary responsibility for advising the Chancellor regarding the formulation and review, and would be represented in the development of all policies and procedures concerning academic staff members, including academic staff personnel matters, subject to the responsibilities and powers of the Board, President, Chancellor, and faculty.

Modify current law to specify that the students of each institution or UW Colleges campus would have primary responsibility for advising the Chancellor regarding the formulation and review of policies concerning student life, services, and interests, subject to the responsibilities and powers of the Board, President, Chancellor, and faculty. Specify that students would have the responsibility for recommending the disposition of student fees which constitute substantial support for campus student activities subject to the approval of the Chancellor and the final confirmation of the Board. Modify current law to specify that, subject to Board policy and in consultation with their faculties, the Chancellor of each institution would be responsible for administering all funds including approving disposition of all student fees. Delete current law specifying that students in consultation with the Chancellor have the responsibility for the disposition of such fees.

Delete current law specifying that: (a) the faculty of each institution be vested with responsibility for the immediate governance of such institution and actively participate in institutional policy development; (b) the academic staff members of each institution be active

participants in the immediate governance of and policy development for the institution; and (c) students be active participants in the immediate governance of and policy development for each institution or UW Colleges campus.

Specify that, with regard to the responsibilities of the faculty, academic staff, and students of each institution, "subject to" means "subordinate to."

Veto by Governor [B-17]: Delete the provision specifying that students would have the responsibility for recommending the disposition of student fees which constitute substantial support for campus student activities subject to the approval of the Chancellor and the final confirmation of the Board. Delete the provision specifying that, subject to Board policy and in consultation with their faculties, the Chancellor of each institution would be responsible for administering all funds including the disposition of all student fees. As vetoed, students continue to have the responsibility for the disposition of student fees which constitute substantial support for campus student activities in consultation with the Chancellor and subject to the final confirmation of the Board of Regents.

[Act 55 Sections: 1139r thru 1142m and 1277m]

[Act 55 Vetoed Sections: 1139g and 1142m (as it relates to the responsibility for allocable students fees)]

2. UW SYSTEM ADMINISTRATION

Governor: Delete the requirement that the UW System President direct a central administration and delete a current law reference to the UW System Administration.

In addition, delete the authority of the UW System President to appoint, and to fix the term of, each UW System senior vice president, vice president, associate vice president, and assistant vice president and delete a current law provision limiting the number of UW System senior vice presidents and vice presidents to four.

Joint Finance/Legislature: Maintain prior law.

3. RESTRICTIONS ON THE ALLOCATION AND USE OF GPR

Governor: Delete the following requirements related to the allocation, encumbrance, or use of GPR funds: (a) the requirement that the Board allocate moneys appropriated under the UW System's GPR appropriation for general program operations to UW institutions, UW Colleges campuses, and the UW-Extension as block grants; (b) the requirement that the Groundwater Coordinating Council advise the DOA Secretary on the allocation of funds appropriated to the Board of Regents through its GPR general program operations appropriation for groundwater research; (c) language prohibiting the Board of Regents from encumbering amounts provided through its GPR appropriation for general program operations for groundwater research without the approval of the DOA Secretary; and (d) provisions prohibiting the use of GPR for entertainment by UW officials. In addition, delete the provision prohibiting the Board

of Regents from allocating GPR or tuition revenues for automobile allowances for the UW System President and chancellors.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement described in (a) above. Otherwise maintain the provisions described above.

[Act 55 Section: 1205]

4. TUITION REMISSIONS FOR NONRESIDENT AND GRADUATE STUDENTS

Governor: Delete current law that authorizes the Board of Regents to remit nonresident tuition in whole or in part to the following students: (a) a number of needy and worthy nonresident students on the basis of merit; (b) additional students who, in the judgment of the Board, are deserving of a remission due to extraordinary circumstances; and (c) worthy and needy foreign students and students who are U.S. citizens but whose residence is not in the U.S.

Delete current law that authorizes the Board to grant nonresident tuition remissions as scholarships to athletes up to the maximum number allowed by the appropriate athletic conference as recommended by the chancellor of each university.

Delete the requirement that the Board remit the nonresident and resident portions of tuition, either in whole or in part, to resident and nonresident graduate students who are fellows or who are employed within the UW System as faculty, instructional academic staff, or assistants with appointments equal to at least 33% of a full-time equivalent position.

In addition, delete provisions limiting the aggregate amount of nonresident tuition that may be remitted in any fiscal year. The current law limit does not apply to remissions granted under the terms of a contract or gift or when remissions are reimbursed as indirect costs.

Joint Finance/Legislature: Approve the Governor's recommendation to delete provisions limiting the aggregate amount of nonresident tuition that may be remitted in any fiscal year. Modify the Governor's recommendation to permit the Board to remit nonresident tuition as follows: (a) to nonresident students upon the basis of merit, to be shown by suitable tests, examinations, or scholastic records and continued high standards of scholastic attainment; and (b) to additional students who, in the judgement of the Board, are deserving of relief from the assessment of tuition. In addition, modify prior law to permit, rather than require, the Board to remit nonresident tuition and fees, in whole or in part, to resident and nonresident graduate students who are fellows or who are employed within the UW System as faculty, instructional academic staff, or assistants with appointments equal to at least 33% of a full-time position.

Maintain prior law authorizing the Board to grant remissions of nonresident tuition and fees (resident tuition) to athletes as scholarships as recommended by the Chancellor of each university up to the maximum number allowed by the appropriate athletic conference.

[Act 55 Sections: 608m and 1271c thru 1271w]

5. MINORITY AND DISADVANTAGED STUDENT PROGRAMS

Governor: Delete current law establishing or requiring the Board to establish or fund the following programs for minority and disadvantaged students: (a) the Lawton minority undergraduate grant program; (b) a grant program for minority and disadvantaged graduate students, known as the Advanced Opportunity Program; and (c) programs for recruiting and serving minority and disadvantaged students. In addition, delete the requirement that the Board annually adopt a precollege, recruitment, and retention plan for minority and disadvantaged students and that the Board submit an annual report to the Governor and Legislature including that plan and information regarding financial aid distributed to students.

Joint Finance/Legislature: Maintain prior law.

6. PROVISIONS RELATED TO STUDENT FINANCIAL AID

Governor: Delete current law provisions permitting, requiring, or prohibiting the Board of Regents to do all of the following with regard to the provision of student financial aid by the Board: (a) permitting the Board of Regents to make financial aid grants to students from funds controlled by the UW System and to formulate policies and promulgate rules for those financial aid grants; (b) permitting the Board to make grants equivalent in value to the payment of incidental fees to disabled residents of the state who are recommended and supervised by the Department of Workforce Development; (c) requiring the Board to use at least 10% annually of its budgeted student employment funds that are unrelated to the college work-study program or to research and instruction for distribution on the basis of financial need; (d) prohibiting the Board from making a financial aid grant to a person whose name appears on the statewide support lien docket maintained by the Department of Children and Families unless the student provides the Board with a payment agreement that has been approved by a county child support agency; and (e) prohibiting the Board from providing state financial assistance to a person who is required to register with the selective service but has not done so.

Joint Finance/Legislature: Maintain prior law.

7. ACADEMIC FEE INCREASE AND STUDY ABROAD GRANTS

Governor: Delete two need-based financial aid programs administered by the UW System: the academic fee increase grant program and the study abroad grant program. The academic fee increase grant program provides grants to resident students who meet all of the following criteria: (a) were enrolled during the 2010-11 year and have maintained continuous enrollment; (b) do not receive Wisconsin Grants; (c) have a family income of less than \$60,000; and (d) have unmet financial need. The study abroad grant program provides grants of up to \$2,000 to resident undergraduates to assist in paying costs associated with studying abroad. To be eligible for a study abroad grant, a student must have been enrolled full-time in the semester preceding the semester in which he or she studies abroad, must be enrolled in a program leading to an associate or bachelor's degree, and must demonstrate financial need.

Joint Finance/Legislature: Maintain prior law.

8. TUITION AWARD PROGRAM

Governor: Delete the tuition award program at UW-Parkside and UW-Superior. Under current law, the Board of Regents may annually exempt up to 300 nonresident students enrolled at UW-Parkside and up to 225 nonresident students enrolled at UW-Superior from nonresident tuition. To be eligible for an exemption, students must be enrolled in programs identified by the institution as having surplus capacity. Only students enrolled as juniors and seniors are eligible for exemptions from nonresident tuition at UW-Parkside.

Joint Finance/Legislature: Restore the tuition award program but delete prior law specifying that students who receive nonresident tuition exemptions through the program would continue to receive nonresident tuition exemptions until the completion of the student's program. This modification allows UW-Parkside and UW-Superior to award nonresident tuition exemptions to continuing students at their discretion.

[Act 55 Section: 1272m]

9. DELETE PROVISIONS RELATED TO AUXILIARY ENTERPRISES FUNDS [LFB Paper 685]

Governor/Legislature: Delete prior law prohibiting the Board from accumulating auxiliary reserve funds from student fees for any institution in an amount that exceeds 15% of the previous fiscal year's total revenues from student segregated fees and auxiliary operations funded with student fees unless approved by the DOA Secretary and the Joint Committee on Finance. In addition, delete language authorizing the Board to invest surplus auxiliary enterprises moneys in certain securities and bonds.

[Act 55 Sections: 1162g and 1295]

10. DELETE PROVISIONS REQUIRING OR AUTHORIZING SPECIFIC SCHOOLS AND PROGRAMS

Governor: Delete current law establishing or requiring the Board of Regents to establish the following schools, institutes, and programs: (a) the School of Veterinary Medicine at UW-Madison; (b) a Great Lakes Indian law program at the UW-Madison Law School; (c) an integrated agriculture program; and (d) the Robert M. La Follette Institute of Public Affairs. Delete current law authorizing the Board to establish the following schools and programs: (a) agricultural technology and family farm programs in the UW-Madison College of Agricultural and Life Sciences; and (b) the Schools of Public Health and Freshwater Sciences at UW-Milwaukee; and (c) a School of Allied Health Professions at UW-Milwaukee. In addition, delete the requirement that the Board plan for the establishment of a bachelor of science nursing program at UW-Stevens Point and the authorization for the Board provide courses in military science and tactics.

Delete the requirement that the Board establish a program at the UW-Madison School of

Medicine and Public Health to consider the transfer of residents of this state from foreign medical schools after their second year of study. Delete the requirement that the School of Law permit resident law students to enroll part-time and offer a range of law courses in the evening.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board plan for the establishment of a bachelor of science nursing program at UW-Stevens Point. Otherwise maintain the provisions described above.

[Act 55 Section: 1186]

11. PROVISIONS ESTABLISHING CERTAIN CENTERS AND INSTITUTES

Governor: Delete current law establishing, requiring the Board to establish, or requiring the Board to maintain the following institutes and centers: (a) the institute for excellence in urban education at UW-Milwaukee, which engages in research, public service, and educational activities pertaining to issues in urban public education; (b) the solid and hazardous waste education center in the UW-Extension, which promotes pollution prevention through an education and technical assistance program; (c) the area health education center at UW-Madison to support community-based primary care training programs; (d) the center for environmental education within the College of Natural Resources at UW-Stevens Point, which assists in the development, dissemination, implementation, and evaluation of environmental education programs for elementary and secondary school teachers and pupils; and (e) the center for urban land economics research in the UW-Madison School of Business, which conducts research and undertakes educational, public outreach, and grant activities related to real estate and urban land economics. In addition, delete the requirement that the Department of Safety and Professional Services pay \$10 of each real estate broker license renewal fee to the UW System to support the center for urban land economics and research.

Joint Finance/Legislature: Maintain prior law.

12. REQUIRED UW-EXTENSION PROGRAMS

Governor: Delete the requirement that the Board offer, establish, or maintain the following UW-Extension programs: (a) a local planning program to educate local policymakers; (b) a program of education and technical assistance related to recycling market development; (c) programs to educate consumers about biotechnology processes and products and risk assessment techniques; and (d) a higher education location program (UW HELP) to provide information on undergraduate admission requirements, degree programs, enrollment, student financial aid, student housing, and admission forms.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board offer a local planning program through the UW-Extension to educate local policymakers. Maintain the requirements described in (b) through (d) above.

[Act 55 Section: 1190]

13. RESEARCH AND PUBLIC SERVICE PROGRAMS

Governor: Delete current law requiring the Board to establish or maintain all of the following related to its research and public service missions: (a) agricultural demonstration stations; (b) a state soils and plant analysis laboratory in connection with the UW-Madison College of Agricultural and Life Sciences and UW-Extension; (c) a pharmaceutical experiment station in the UW-Madison School of Pharmacy; and (d) an herbarium at UW-Madison.

Delete provisions requiring the Board to authorize research, experiments, or studies related to the following: (a) experimental work in agriculture; (b) bovine brucellosis; (c) Dutch Elm disease; (d) the feasibility of reintroducing elk into the northern part of the state; and (e) the Fond du Lac Avenue corridor in Milwaukee.

In addition, delete the requirement that the Board award industrial and economic grants to fund industrial and economic development research projects and outreach activities and delete the requirement that the Board submit a report biennially to the Joint Committee on Finance on the projects funded.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board ensure that an economic development study of the Fond du Lac Avenue corridor is completed. Otherwise maintain the provisions described above.

[Act 55 Section: 1195]

14. PROVISIONS RELATED TO PUBLIC BROADCASTING

Governor: Delete the current law requirement that the Board manage, operate, and maintain broadcasting station WHA and WHA-TV and enter into an affiliation agreement with the Educational Communications Board. In addition, delete language requiring the UW System to lapse moneys from its GPR and PR appropriations in an amount determined by the DOA Secretary to reimburse DOA for legal advice regarding public broadcasting by the UW System.

Joint Finance/Legislature: Maintain prior law.

15. REQUIRED BUSINESS PROGRAMS

Governor: Delete current law requiring the Board to create, develop, or support the following business-related programs: (a) international business development programs and training; (b) management training and technical assistance for employee-owned businesses; and (c) a business plan competition. Delete related language requiring the Board to allocate up to \$125,000 annually for the business plan competition if the Board receives matching funds for the same purpose from private contributions.

In addition, delete language requiring the Board to support improvements in master's level business programs and permitting the Board to provide financial support for such improvements if it receives matching funds for the same purpose from private contributions.

Joint Finance/Legislature: Maintain prior law.

16. HEALTH PROGRAMS IN RURAL AND UNDERSERVED URBAN AREAS

Governor: Delete the requirement that the Board allocate \$400,000 annually to the Department of Family Medicine and Practice at the UW-Madison School of Medicine and Public Health to support the Wisconsin Academy for Rural Medicine, the Academy for Center-city Medical Education, and the Wisconsin Scholars Academy programs if the Board receives \$400,000 in gifts and grants from private sources to support those programs. In addition, delete the requirement that the Board promote public awareness of, access to, and training of health professionals for rural and underserved urban areas.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board promote public awareness of, access to, and training of health professionals for rural and underserved urban areas.

Maintain the requirement that the Board allocate \$400,000 annually to support the Wisconsin Academy for Rural Medicine, the Academy for Center-city Medical Education, and the Wisconsin Scholars Academy programs if the Board receives \$400,000 in gifts and grants from private sources to support those programs.

[Act 55 Section: 1175]

17. REQUIREMENTS RELATED TO ECONOMIC DEVELOPMENT PROGRAMS AND ASSISTANCE

Governor: Delete the following requirements related to economic development programs administered by the Board and economic development assistance provided by the Board: (a) that the Board, in consultation with the Wisconsin Economic Development Corporation, establish goals, establish benchmarks, require reports and verify the information provided therein, establish a method for evaluating, and establish rules, policies, and procedures related to economic development programs; (b) coordinate economic development assistance with the Wisconsin Economic Development Corporation; and (c) submit an annual report assessing the economic development programs administered by the Board to the Joint Legislative Audit Committee and the appropriate standing committees.

Joint Finance/Legislature: Maintain prior law.

18. PROGRAMS RELATED TO K-12 EDUCATION

Governor: Delete the following provisions related to K-12 education: (a) that the Board direct the Schools of Education to present to schools the result of research on models for, and approaches to, improving school safety and reducing discipline problems in schools and at school activities; (b) that the Board provide curricula to train students enrolled in the Schools of Education in the use of educational technology in primary and secondary schools; and (c) that

the Board provide professional development for primary and secondary teachers in the use of educational technology. In addition, delete language providing that the Board may do the following: (a) furnish services for educational study and research projects to school districts; and (b) establish a model school for children with disabilities at UW-Madison.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board direct the Schools of Education to present to schools the result of research on models for, and approaches to, improving school safety and reducing discipline problems in schools and at school activities. Otherwise maintain the provisions described above.

[Act 55 Sections: 1189 and 1334]

19. DISTINGUISHED PROFESSORSHIPS AND CHAIRS

Governor: Delete a current law provision permitting the Board to establish distinguished professorships. In addition, delete the requirement that the Board establish the following positions: (a) a distinguished chair of military history at UW-Madison; (b) the Gaylord Nelson chair of integrated environmental studies; and (c) the Wilder Crane professorship of government in the UW-Milwaukee Department of Political Science.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the requirement that the Board establish the Gaylord Nelson chair of integrated environmental studies. Otherwise maintain the provisions described above.

[Act 55 Section: 1191]

20. DELETE REQUIRED REPORTS

Governor: Delete current law requiring the Board to submit the following reports to the Governor, the Legislature, and/or the Joint Committee on Finance: (a) a biennial report on employment harassment and discrimination claims; (b) a biennial report on research and public service projects for which the Board is expending general purpose revenue; (c) an annual report on management and staff positions; (d) an annual report identifying the number of employees with limited appointments, concurrent appointments, and backup positions; (e) an annual report on courses for which academic fees or tuition equals at least 100% of the cost of offering the course; and (f) an annual report on classified research contracts. In addition, delete language specifying that the chancellor of each UW institution consult with the faculty when establishing a process for accepting contracts for, and conducting, classified research.

Delete language requiring the Board to ensure that UW-Madison reports annually to the Department of Administration on utility charges to fund principal and interest costs incurred in purchasing the Walnut Street steam and chilled-water plant and in renovating and adding an addition to the Charter Street heating and cooling plant.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the reports described in (c) and (e) above. Otherwise maintain the provisions described above.

[Act 55 Sections: 1187 and 1194]

21. DELETE APPLICATION FEE AMOUNTS

Governor: Delete current law setting the application fee for undergraduate applicants at \$44 and the application fee for graduate, law, and medical school applicants at \$56. Delete provisions permitting the Board to exempt up to 5% of undergraduate applicants from the application fee. Delete language requiring that at least \$9 of the application fee paid by each undergraduate applicant and \$11 of the application fee paid by graduate, law, and medical school applicants be used for admission application expenses. In addition, delete the requirement that \$3 of the application fee paid by each applicant be used to support the higher education location program.

Joint Finance/Legislature: Modify the Governor's recommendation to require each UW institution to charge uniform application fees to each of the following groups of applicants: (a) all undergraduate applicants; (b) all graduate applicants; (c) all law school applicants; and (d) all medical school applicants.

[Act 55 Section: 1153m]

22. SOIL AND WATER CONSERVATION

Governor: Delete the current law requiring the Board of Regents to be responsible for research and educational programs regarding soil and water conservation. In addition, delete the requirement that the Board of Regents cooperate with the Land and Water Conservation Board, the Department of Agriculture, Trade, and Consumer Protection (DATCP), and the counties in carrying out soil and water conservation programs, and delete the requirement that the Board prepare annually a written program of planned educational activities in soil and water conservation.

Under the bill, DATCP would continue to advise the UW System Authority on developing research and educational programs relating to soil and water conservation. DATCP would also continue to advise the UW System Authority on educational needs and assist the UW System Authority in implementing educational programs through UW-Extension county programs.

Joint Finance/Legislature: Maintain prior law.

23. RESPONSIBILITIES OF THE WATER RESOURCES CENTER DIRECTOR

Governor: Delete current law requiring the Director of the UW-Madison Water Resources Center to administer and coordinate funding available to state agencies for joint water resources research and data collection programs. Delete the requirement that the Director report biennially to the Legislature.

Joint Finance/Legislature: Maintain prior law.

24. PROVISIONS RELATED TO STUDENT TUITION BILLS AND TUITION AND SEGREGATED FEES INFORMATION

Governor: Delete the requirement that the Board ensure that every student's tuition bill include a statement of the amount of state funds authorized by the Governor and the Legislature for the UW System in that year and the average state subsidy per student. Delete the requirement that the Board ensure that the amount of segregated fees charged by each institution and each UW Colleges campus, the amount of tuition charged by each institution and each UW Colleges campus, and detailed information on the organizations and activities for which allocable segregated fees are expended are posted on each institution's or campus's website. Delete the requirement that the Board ensure that each student's bill shows separately the amount of tuition and the amount of segregated fees charged.

Joint Finance/Legislature: Maintain prior law.

25. SEXUAL ASSAULT INFORMATION AND REPORTING

Governor: Delete the requirement that the Board direct each institution and college campus to incorporate oral and written or electronic information on sexual assault in its orientation program for newly entering students and to supply all students enrolled in the institution or college campus with the same information in either printed or electronic form. Delete the requirement that the Board of Regents submit an annual report to the Legislature regarding the methods used to comply with the above requirement.

Delete the requirement that any person employed at an institution who witnesses a sexual assault on campus or receives a report from a student enrolled in the institution that the student has been sexually assaulted report the assault to the dean of students.

Delete the requirement that each institution report annually to the Department of Justice (DOJ) statistics on sexual assaults and on sexual assaults committed by acquaintances of the victims that occurred on the campus of that institution in the previous years, and that DOJ include those statistics in appropriate crime reports.

Joint Finance/Legislature: Maintain prior law.

26. DISCIPLINE OF STUDENTS FOR CONTROLLED SUBSTANCE VIOLATIONS

Governor: Delete current law specifying that any student who engages in an activity that constitutes a violation of the state law regarding controlled substances either on campus or at an event sponsored by the UW System, a UW institution, or a UW Colleges campus is subject to nonacademic misconduct disciplinary sanctions as provided by the Board by rule.

Joint Finance/Legislature: Maintain prior law.

27. DELETE REQUIREMENT FOR AGREEMENT RELATING TO RESEARCH ON EDUCATION PROGRAMS

Governor/Legislature: Delete the requirement that the Board of Regents enter into an agreement with the Department of Public Instruction (DPI), the Wisconsin Technical College System (WTCS) Board, and the Wisconsin Association of Independent Colleges and Universities (WAICU) to cooperatively conduct research on preschool through postsecondary education programs.

The act maintains the requirement that the Board of Regents enter into a written agreement with DPI, the Department of Workforce Development, the WTCS Board, and WAICU to: (a) establish and maintain a longitudinal student data system; (b) describe the process by which one or more of the agencies may evaluate and study the education programs operated or supervised by one or more of the other agencies; (c) prohibit the agencies from evaluating or studying another agency's programs without the approval of that agency; (d) require the agencies to exchange student and work force data necessary to perform evaluations or studies; and (e) address additional issues related to data sharing.

[Act 55 Sections: 1185 and 3191]

28. BASIC LUMBER GRADING TRAINING PROGRAM

Governor: Delete the requirement that the forest products outreach program at UW-Stevens Point establish a basic lumber grading training program in cooperation with the Department of Natural Resources (DNR). Delete the requirement that DNR, in cooperation with the Board of Regents, establish a procedure to determine successful completion of the training programs and issue certificates of accomplishment to individuals who have successfully completed the training program. Modify a current law provision to allow a person to certify that lumber meets or exceeds the requirements of the one- or two-family dwelling code or the multifamily dwelling standards only if that person has been certified under a lumber grading training program specified by the Department of Safety and Professional Services, instead of the lumber grading training program established by the forest products outreach program at UW-Stevens Point as under current law.

Joint Finance/Legislature: Maintain prior law.

29. UW-EXTENSION AGRICULTURAL SAFETY AND HEALTH CENTER AND GRANTS

Governor: Delete current law establishing the Agricultural Safety and Health Center in the UW-Extension. Under current law, the Center must: (a) develop a tractor and machine operation safety training course for children who are at least 12 years old; (b) perform instructor training and coordination; (c) certify children who have successfully completed the training; and (d) develop and disseminate educational and informational materials and present programs on farm safety and health topics. Modify current law to prohibit a child under the age of 16 years

from operating a tractor on a highway unless that child has been certified by the Department of Transportation, instead of the Agricultural Safety and Health Center as under current law, as having successfully completed the safety training course. In addition, delete language requiring the Board of Regents to award grants of not more than \$500 per county to sponsors of farm safety education, training, or information programs.

Joint Finance/Legislature: Maintain prior law.

30. SALE, LEASE, OR PURCHASE OF AGRICULTURAL LAND BY THE BOARD OF REGENTS

Governor: Delete current law directing the Board of Regents to sell or lease specific parcels of agricultural land and to purchase other agricultural lands outside of the Madison area. Delete related language authorizing the Building Commission to release moneys from the building trust fund related to the sale or purchase of agricultural lands by the Board of Regents.

Joint Finance/Legislature: Maintain prior law.

31. DHS TOBACCO RESEARCH GRANTS

Governor: Delete current law permitting the Department of Health Services to award grants to the Board of Regents for advancing the work of the Tobacco Research and Intervention Center at UW-Madison in developing new educational programs to discourage tobacco use, determining the most effective strategies for preventing tobacco use, and expanding smoking cessation programs throughout the state.

Joint Finance/Legislature: Maintain prior law.

32. DELETE ADDITIONAL CURRENT LAW PROVISIONS [LFB Paper 675]

Governor: Delete current law requiring, permitting, authorizing, or prohibiting the Board of Regents to do all of the following:

(a) requiring the Board of Regents to submit annually to DOA a plan to integrate land information to enable such information to be readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility.

(b) requiring that reimbursements received by the UW System from the Higher Educational Aids Board for remissions granted to veterans and the children and spouses of deceased or disabled veterans be used for degree credit instruction.

(c) requiring the UW-Madison Center on Education and Work to establish a program for students enrolled in grades 7 to 12 to engage in webcam conversations about careers.

(d) requiring that the Board delegate to each chancellor the necessary authority for the administration and operation of each institution and the provision that the Board may delegate

other groups as it deems appropriate.

(e) prohibiting the Board from creating a new college or school except as specifically authorized by the Legislature.

(f) requiring the Board to develop policies to identify GPR and non-GPR funding sources used to support non-instructional student activities and policies regarding the allocation of funds to those activities.

(g) requiring the Board to provide information related to meningococcal disease and hepatitis B and related vaccines to all students. Delete language requiring students living in residences halls to report whether they have received vaccinations for meningococcal disease and hepatitis B.

(h) authorizing the Board to participate in a nonprofit-sharing corporation with colleges, universities, and libraries for the purpose of providing and operating a central library depository.

(i) permitting the Board to maintain membership in the Midwest technology development institute.

(j) requiring the Board to designate two positions funded through the GPR appropriation for UW System Administration to coordinate compliance with state and federal laws related to the environment.

(k) requiring the Board to ensure that each campus identifies and collects significant state documents relating to the administration and academic programs of that campus.

(l) requiring the Board of Regents to allocate \$11,250,000 in 2013-14 and in 2014-15 from its program revenue appropriation for general program operations to the incentive grants program and to award grants for programs meeting certain criteria to UW institutions and the UW-Extension.

(m) permitting a body designated by the Board to determine nonresident tuition exemption to require a student who has been granted such an exemption to submit information from which the body may determine the student's eligibility for the exemption, the student's eligibility for a different exemption, or the student's residency status.

(n) requiring that the DOA Secretary approve fees for services charged by the Higher Educational Aids Board to the Board of Regents through the national direct student loan servicing contract.

(o) prohibiting UW institutions and private educational institutions located in this state that award bachelor's or higher degrees from using a student's social security number as his or her identification number.

(p) delete the following provisions related to the Downer Woods located on the UW-Milwaukee campus: (1) provisions requiring the UW-Milwaukee Chancellor to prepare and implement a Downer Woods natural area management and restoration plan to ensure that the

area of the Downer Woods designated as the conservation area is managed properly as a natural area; (2) provisions requiring that the portion of the Downer Woods designated as permanently reserved woodlands be set aside exclusively for the purposes of community enhancement and relaxation; (3) provisions permitting the portions of the Downer Woods designated as park and woodland areas to be used by UW-Milwaukee as recreational and aesthetic corridors; and (4) provisions specifying that the buildings of the former Downer college be preserved and may not be razed without prior approval of the Building Commission.

(q) prohibiting UW institutions from offering complimentary or reduced price tickets to athletics event for which an admission fee is normally charged except as follows: (1) reduced priced tickets may be provided to minors, students, and persons age 62 or older; (2) complimentary or reduced price tickets may be permitted if they are permitted by the rules of the intercollegiate athletic conference to which the institution belongs and the chancellor has approved the furnishing of such tickets; and (3) complimentary or reduced price tickets may be provided to individuals who perform duties directly related to the conduct of the athletic event for which the tickets are issued.

(r) requiring the Board to ensure that the UW-Madison University Ridge Golf Course charge no more than two levels of fees and that, if there are two levels of fees, the lower fee level be for students and the other fee level by for all others eligible to use the facility.

(s) requiring the UW-Madison license plate scholarship program to provide funds to the division of athletics until the Board determines that the division's deficit has been eliminated.

(t) requiring the Board to adopt criteria for researchers to follow regarding humane treatment of animals for scientific research purposes.

(u) requiring the Board include in fiscal estimates prepared for bills that involve the appropriation of GPR for specific research or public service projects the anticipated completion date of the project.

(v) permitting the Board to award up to \$500 to up to 10 UW System employees who make suggestions that result in significant quality improvement in the UW System related to supplies and services.

(w) requiring the UW System to create a student information system, to develop UW System technology infrastructure, and to provide faculty with educational technology and train them in its use.

(x) requiring the Board to appoint alcohol and other drug abuse prevention and intervention program counselors for UW-Madison and UW-Milwaukee. Delete the requirement that these counselors develop alcohol and other drug abuse prevention and intervention programs and train faculty, academic staff, and classified staff in the prevention of and early intervention in alcohol and other drug abuse.

(y) permitting the Board to establish a tuition gift certificate program.

(z) requiring the Board to direct the administrative officers of each campus to work with

the regional planning commissions and the local authorities of the community in which the campus is located to evaluate the transportation needs of the campus population. Delete the requirement that each campus develop a transportation plan for the campus to effect energy resource conservation and efficient use of transportation resources. Delete the specification that such plans include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and van pools, and, to the extent feasible, improved mass transit services. Delete the requirement that transportation plans detail parking management strategies which provide incentives for the use of mass transit and high occupancy vehicles.

(aa) permitting the Board of Regents, a UW institution, a UW Colleges campus, and the UW-Extension to be a member, shareholder, or partner in or with any third-party entity or other person that offers, resells, or provides telecommunications services to a facility that it was not serving on June 15, 2011, if the facility was approved by the Joint Committee on Finance.

In addition, specify that Board of Regents would be capitalized wherever it appears in the statutes.

Joint Finance/Legislature: Approve the Governor's recommendation to delete the prior law provisions described in (h), (i), (j), (k), (n), (o), (q), (r), (s), (u), (y), and (z) and to capitalize Board of Regents in the statutes. Delete the Governor's recommendation with regard to all other provisions described above which maintains prior law in those areas.

Veto by Governor [B-23]: Restore the provision related to student identification numbers described in (o).

[Act 55 Sections: 1161, 1163, 1168, 1173, 1174, 1278, 1287, 1288, 1292, 1293, 1294r, 1300, 1430, and 9148(5)]

[Act 55 Vetoed Sections: 1279 and 4468e thru 4468s]

33. DELETE OBSOLETE STATUTORY LANGUAGE AND REFERENCES

Governor: Delete statutory language regarding the use of funds accumulated prior to the merger of the University of Wisconsin and the Wisconsin State Universities. In addition, delete obsolete references for the UW System's participation in sesquicentennial events; payments to Taylor County for retirement of debt related to UW-Medford facilities; a reference to 1998 as the starting year for the required annual submission of student aid formulas; a reference to July 1, 2013, as the start date for the establishment of travel policies by the Board of Regents; a pilot program which ended on May 15, 2011, for the Center on Education and Work at the UW-Madison; and commitment of certain federal funds for broadband projects prior to June 15, 2011.

Joint Finance/Legislature: Approve the Governor's recommendation to delete prior law regarding the use of funds accumulated prior to the merger of the University of Wisconsin and the Wisconsin State Universities and a report that was required in 1991, 1992, 1993, and 1994. Otherwise maintain the references.

[Act 55 Sections: 1164 and 1208]